

James Padar

Spalding, Echeverria v. City of Chicago

5/21/15

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IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION CHICAGO POLICE OFFICERS SHANNON SPALDING AND DANIEL ECHEVERRIA, Plaintiffs, vs. No. 12 C 8777 CITY OF CHICAGO, CHICAGO POLICE CHIEF JUAN RIVERA, CHICAGO POLICE CHIEF DEBRA KIRBY, CHICAGO POLICE COMMANDER JAMES O'GRADY, CHICAGO POLICE CHIEF NICHOLAS ROTTI, CHICAGO POLICE LT. DEBORAH PASCUA, CHICAGO POLICE SERGEANT MAURICE BARNES, CHICAGO POLICE LT. ROBERT CESARIO, CHICAGO POLICE COMMANDER JOSEPH SALEMME, CHICAGO POLICE SERGEANT THOMAS MILLS, CHICAGO POLICE SERGEANT MICHAEL BARZ and CHICAGO POLICE SERGEANT ROBERT MUSCOLINO, Defendants. DEPOSITION OF JAMES W. PADAR MAY 21, 2015 1:26 p.m.	1 APPEARANCES: (Continued) 2 3 DRINKER BIDDLE & REATH, LLP, by, 4 MR. ALAN KING 5 191 North Wacker Drive 6 Suite 3700 7 Chicago, Illinois 60606 8 Representing the Defendants; 9 10 MS. SHANNON SPALDING, 11 Also present. 12 13 14 15 16 17 18 19 20 21 22 23 24
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1 The deposition of JAMES W. PADAR, 2 called for examination pursuant to the Rules 3 of Civil Procedure for the United States 4 District Courts pertaining to the taking of 5 depositions, taken before MARIBETH REILLY, 6 C.S.R., and notary public within and for the 7 County of DuPage and State of Illinois, at 8 One North LaSalle Street, Suite 2000, 9 Chicago, Illinois, on May 21, 2015, 10 commencing at the hour of 1:37 p.m. 11 12 APPEARANCES: 13 KINOY, TAREN & GERAGHTY, P.C., by, 14 MR. JEFFREY TAREN 15 224 South Michigan Avenue 16 Suite 490 17 Chicago, Illinois 60604 18 -and- 19 CHRISTOPHER SMITH TRIAL GROUP, by, 20 MR. CHRISTOPHER SMITH 21 One North Lasalle Street 22 Suite 3040 23 Chicago, Illinois 60602 24 Representing the Plaintiffs;	1 I N D E X 2 WITNESS 3 JAMES W. PADAR 4 By Mr. Taren 5 6 7 EXHIBITS 8 9 NUMBER 10 Deposition Exhibit 11 No. 1 12 13 14 15 16 17 18 19 20 21 22 23 24

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1 (Witness duly sworn.)
 2 MR. TAREN: Would you state and
 3 spell your full name for the record.
 4 THE WITNESS: James William Padar,
 5 J-a-m-e-s, W-i-l-l-i-a-m, P-a-d-a-r.
 6 MR. TAREN: Thank you. This is
 7 the deposition of James William Padar taken
 8 in the case Shannon Spalding and Daniel
 9 Echeverria versus the City of Chicago, et
 10 al., Northern District of Illinois, Number
 11 12 C 8777.
 12 My name is Jeffrey Taren. I
 13 am one of the attorneys for the Plaintiffs,
 14 and I will be taking your deposition today.
 15 You have had your deposition
 16 taken before; is that correct?

17 THE WITNESS: Yes.

18 MR. TAREN: Well, I will just
 19 briefly tell you how things will proceed
 20 here. I am going to be asking you a series
 21 of questions concerning your employment with
 22 the Chicago Police Department, knowledge you
 23 may have of some of the facts in the matter
 24 brought by Shannon Spalding and Danny

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1 Echeverria. None of the questions I ask are
 2 meant to trick or deceive you in any way.
 3 So if you don't understand the question, let
 4 me know. I will be happy to rephrase the
 5 question.

6 In terms of our rules, the
 7 primary rule is that all answers must be
 8 audible. So if you nod your head, like you
 9 just did, and we all do, the court reporter
 10 can't take that down. So I would ask you to
 11 please articulate all of your answers.
 12 Okay?

13 THE WITNESS: Yes.

14 MR. TAREN: If you need to take a
 15 break, let us know. I will be a happy to do
 16 that.

17 And then as I tell everyone,
 18 some of the questions that I ask you are
 19 going to be somewhat personal. We do that
 20 for everyone. There is background
 21 information that's necessary, and so please
 22 don't take offense.

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1 JAMES W. PADAR,
 2 called as a witness herein, was examined and
 3 testified as follows:

4 EXAMINATION
 5 BY MR. TAREN:

6 **Q. And can we start with some**
 7 **background information. Can you give me**
 8 **your current address, home address.**

9 A. 7825 West Thorndale, and that's in
 10 Chicago, 60631.

11 **Q. How long have you lived there?**

12 A. Approximately 11 years.

13 **Q. Are you married?**

14 A. Yes.

15 **Q. Can I have your date of birth,**
 16 **please?**

17 A. 18, December, 1973.

18 **Q. Do you also go by the name of Jay**
 19 **sometimes?**

20 A. Yes.

21 **Q. Are there other names that you**
 22 **have gone by either professionally or**
 23 **personally?**

24 A. Some people have called me Jim,

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1 but that's it.

2 **Q. Do you have kids?**

3 A. Yes.

4 **Q. How old are they?**

5 A. I have six-year old twins.

6 **Q. So they are, obviously, not**
 7 **employed by the Chicago Police Department?**

8 A. That's correct.

9 **Q. Is that right?**

10 **Do you currently have other**
 11 **members of your family who are employed by**
 12 **the Chicago Police Department?**

13 A. No.

14 **Q. Other members of your family have**
 15 **been Chicago police officers in the past; is**
 16 **that correct?**

17 A. Yes.

18 **Q. And who would that be?**

19 A. My father.

20 **Q. His name is also James; is that**
 21 **correct?**

22 A. Yes.

23 **Q. Anyone else? Any siblings or**
 24 **uncles?**

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<p>1 A. No, not that I can think of.</p> <p>2 Q. All right. What is your</p> <p>3 educational background? Let's start with</p> <p>4 high school. Where did you go to high</p> <p>5 school?</p> <p>6 A. Loyola Academy.</p> <p>7 Q. When did you graduate?</p> <p>8 A. '92.</p> <p>9 Q. And after high school, have you</p> <p>10 had other formal education?</p> <p>11 A. I attended Western Illinois</p> <p>12 University and graduated in 1996.</p> <p>13 Q. What was your degree in?</p> <p>14 A. Criminal justice.</p> <p>15 Q. How about after '96, have you had</p> <p>16 any graduate level educational courses?</p> <p>17 A. I completed my Master's degree at</p> <p>18 Lewis University.</p> <p>19 Q. When was that?</p> <p>20 A. I would be estimating, but I</p> <p>21 believe it was approximately 2005.</p> <p>22 Q. What is your Master's in?</p> <p>23 A. Criminal justice.</p> <p>24 Q. After college, what was your first</p>	<p>1 A. Just over a year.</p> <p>2 Q. Have you been on suspension at</p> <p>3 some point over the last two years?</p> <p>4 A. I have not been suspended.</p> <p>5 Q. Were you on some kind of paid</p> <p>6 leave?</p> <p>7 A. I am -- I have been assigned to</p> <p>8 administrative duties.</p> <p>9 Q. We will get into some of that</p> <p>10 later.</p> <p>11 And are there restrictions,</p> <p>12 some restrictions on your duties at the</p> <p>13 Chicago Police Department now currently?</p> <p>14 A. Yes.</p> <p>15 Q. What are those restrictions?</p> <p>16 A. I cannot carry a gun. I cannot</p> <p>17 take police action.</p> <p>18 Q. You are also an author; is that</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. And you have written with your</p> <p>22 father a book called "On Being a Cop"; is</p> <p>23 that correct?</p> <p>24 A. Yes.</p>
<p>1 full-time employment?</p> <p>2 A. I worked for Toyota Motor Credit</p> <p>3 Corporation and Lexus Financial Services.</p> <p>4 Q. For what period of time?</p> <p>5 A. I believe the years were 1996</p> <p>6 through 1998.</p> <p>7 Q. When did you enter the Chicago</p> <p>8 Police Department?</p> <p>9 A. 1998.</p> <p>10 Q. And have you been a full-time</p> <p>11 employee of the police department ever</p> <p>12 since?</p> <p>13 A. Yes.</p> <p>14 Q. What is your current status with</p> <p>15 the Chicago Police Department?</p> <p>16 A. I'm assigned to Narcotics,</p> <p>17 detailed to the Alternate Response Section.</p> <p>18 Q. What's the Alternate Response</p> <p>19 Section?</p> <p>20 A. They take nonemergency police</p> <p>21 reports over the phone.</p> <p>22 Q. That's the 311 center?</p> <p>23 A. Yes.</p> <p>24 Q. How long have you been at 311?</p>	<p>1 Q. Have you written any other books?</p> <p>2 A. No.</p> <p>3 Q. Is there some book that you are</p> <p>4 currently working on?</p> <p>5 A. No.</p> <p>6 Q. I understand from the blogosphere</p> <p>7 that when you started -- starting in 1999,</p> <p>8 you began writing emails to your father</p> <p>9 about your work at the Chicago Police</p> <p>10 Department; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Do you still do that?</p> <p>13 A. I can't recall the last time I</p> <p>14 wrote an email to my father about the work I</p> <p>15 have done on the police department.</p> <p>16 Q. Well, tell me for what period of</p> <p>17 time -- and by the way, I will let you know,</p> <p>18 I am getting this from an interview that's</p> <p>19 online that you gave to NBC in February</p> <p>20 of 2014.</p> <p>21 A. Sure.</p> <p>22 Q. Are you familiar -- you recall</p> <p>23 that email?</p> <p>24 A. Yes.</p>

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<p style="text-align: center;">Page 13</p> <p>1 Q. And you are aware of this? Anyone 2 could go online and see the interview? 3 A. Yes. 4 Q. And in that you state that you 5 were writing emails about your adventures to 6 your father. 7 My question is: For what 8 period of time did you continue to do that? 9 A. I know I wrote emails, I believe, 10 beginning in 1998. 11 Q. Okay. 12 A. The last story which I wrote, 13 which I did email to my father, was 14 probably -- I don't know if it was 2013 or 15 2014. 16 Q. Okay. 17 A. It was close to not this past 18 Christmas, maybe the Christmas before. 19 Q. All right. So these emails that 20 you would send to your father, would they 21 detail some of the experiences that you had 22 as a Chicago police officer? 23 A. Yes. 24 Q. Did they form the basis of some of</p>	<p style="text-align: center;">Page 15</p> <p>1 to three years. And prior to that, I had 2 Comcast. 3 Q. What email addresses did you use 4 with regard to Comcast as a service 5 provider? 6 A. I don't recall. 7 Q. You don't recall any of your email 8 addresses for Comcast? 9 A. For Comcast, no. I don't know 10 what they assigned me. 11 Q. Do you know was it something 12 @comcast.net? 13 A. I would assume so. 14 Q. Did you have more than one email 15 address with Comcast? 16 A. Not that I'm aware of. 17 Q. Are you aware of any other email 18 providers that -- service providers that you 19 used in sending emails about your work 20 experiences? 21 A. I have used the email address of 22 jay@padar.org. 23 Q. Okay. 24 A. And there is an email address</p>
<p style="text-align: center;">Page 14</p> <p>1 the stories that you have written? 2 A. Yes. 3 Q. Do you have all the emails that 4 you sent to your father? 5 A. No. 6 Q. Where did you send them from? 7 A. From different computers. Most 8 likely, different email accounts. I had 9 AT&T as my service provider at one point. 10 Comcast was my service provider for another 11 point. 12 Q. Let me stop you there. So for 13 what period of time did you have AT&T as 14 your service provider? 15 A. I can't recall those dates, but I 16 can tell you that I currently have AT&T as 17 my service provider. 18 Q. And that's an email -- what email 19 address did you have with AT&T? 20 A. Jaypadar@att.net. 21 Q. And do you know what period of 22 time you had Comcast as a service provider? 23 A. I don't recall the exact date. I 24 would estimate that I have had AT&T for two</p>	<p style="text-align: center;">Page 16</p> <p>1 associated with the web site "On Being a 2 Cop" that gets forwarded to me, which is 3 jay@onbeingacop.com. 4 Q. Is it your testimony that you have 5 not archived any of the emails that you sent 6 about your work experiences? 7 A. I have saved some of them. I have 8 not archived all of my emails that I sent to 9 my father. 10 Q. In what format did you save them? 11 A. I have stories that I have written 12 to my father, and I believe I have them on a 13 laptop at home. 14 Q. During the period 2010 through 15 2012, did you send emails about some of your 16 work experiences to your father to anyone 17 else? 18 A. I don't recall at this point. 19 Q. So you may have, or you may not 20 have; is that correct? 21 A. That is correct. 22 Q. What email address did you send 23 your stories about your experiences to? 24 A. I know my father's email address,</p>

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<p style="text-align: center;">Page 17</p> <p>1 which I may have sent it to this address is 2 jim@padar.org.</p> <p>3 Q. Do you know how long he's had that 4 email address?</p> <p>5 A. I don't.</p> <p>6 Q. Do you know whether he has kept 7 any or all of the emails that you have sent 8 him concerning your experiences at work?</p> <p>9 A. I am not certain what he's kept.</p> <p>10 Q. Have you ever sent an email to 11 your father or anyone else which has 12 anything to do with Shannon Spalding or 13 Danny Echeverria?</p> <p>14 A. I don't recall if I have.</p> <p>15 Q. So I am clear about your answer, 16 it's possible and perhaps you did, perhaps 17 you did not; is that correct?</p> <p>18 A. Yes.</p> <p>19 MR. TAREN: I am going to ask you 20 to please preserve any and all emails that 21 you have in your possession until we can 22 issue a subpoena.</p> <p>23 THE WITNESS: Okay.</p>	<p style="text-align: center;">Page 19</p> <p>1 Q. I hate to ask this question, but 2 how many emails do you think you have sent 3 over the years concerning your employment?</p> <p>4 A. Concerning my employment?</p> <p>5 Q. Yes.</p> <p>6 A. Would probably be well into the 7 thousands.</p> <p>8 Q. Do you have a Twitter account?</p> <p>9 A. I do not have a Twitter account.</p> <p>10 There is a Twitter account associated with 11 On Being a Cop.</p> <p>12 Q. By the way, have you turned 13 over -- Has anyone from the City of Chicago 14 asked you to look through your emails to see 15 if there is anything that refers to Shannon 16 Spalding or Danny Echeverria?</p> <p>17 A. I don't recall anyone asking me to 18 look for that material.</p> <p>19 Q. And is it accurate then that you 20 have not turned those emails over, any of 21 your emails over to the City for -- in 22 anything to do with this lawsuit, the 23 Spalding/Echeverria lawsuit?</p> <p>24 A. I don't believe I have.</p>
<p style="text-align: center;">Page 18</p> <p>1 BY MR. TAREN:</p> <p>2 Q. In any of your emails concerning 3 your employment at the Chicago Police 4 Department, do you mention anything about 5 crooked cops?</p> <p>6 A. I don't recall mentioning anything 7 about crooked cops.</p> <p>8 Q. Do any of your emails discuss 9 anything about Internal Affairs?</p> <p>10 A. I don't recall.</p> <p>11 Q. In any of the emails that you 12 sent, do you refer to anyone as a rat, or 13 recount anyone you have worked -- well, take 14 it one at a time.</p> <p>15 In any of your emails that you 16 sent concerning your experiences at the 17 police department, do you ever refer to 18 anyone as a rat?</p> <p>19 A. I don't recall ever referring to 20 anyone as a rat.</p> <p>21 Q. Do you recall recounting anyone 22 else referring to someone as a rat in your 23 emails?</p> <p>24 A. I don't recall that.</p>	<p style="text-align: center;">Page 20</p> <p>1 Q. So there is a Twitter account 2 associated with On Being a Cop blog; is that 3 right?</p> <p>4 A. Yes.</p> <p>5 Q. Who handles that Twitter account?</p> <p>6 A. My father does.</p> <p>7 Q. Do you have an Instagram account?</p> <p>8 A. I don't.</p> <p>9 Q. Does the blog have one?</p> <p>10 A. Not that I'm aware of.</p> <p>11 Q. What about Facebook, do you have a 12 Facebook account?</p> <p>13 A. I do not have a Facebook account.</p> <p>14 Q. I know your father does.</p> <p>15 A. Yes.</p> <p>16 Q. Correct?</p> <p>17 Do you ever post things on 18 your father's Facebook account?</p> <p>19 A. I do not.</p> <p>20 Q. Does your blog have a Facebook 21 account?</p> <p>22 A. Yes.</p> <p>23 Q. Who handles that?</p> <p>24 A. My father.</p>

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<p style="text-align: center;">Page 21</p> <p>1 Q. Do you have any other social media 2 accounts? 3 A. I can't think of any other social 4 media accounts that I have. 5 Q. All right. Do you follow any 6 other Chicago police -- strike that. 7 I want to keep this limited to 8 just matters involving law enforcement of 9 the Chicago Police Department. I don't care 10 about other personal issues, blogs that you 11 might follow. 12 Are there any blogs that you 13 follow that are either by Chicago police 14 officers, current or former, or deal with 15 matters of the Chicago Police Department? 16 A. I have read Second City Cop Blog 17 Spot. 18 Q. Any others? 19 A. There is nothing that I read 20 regularly. However, I am certain on that 21 blog spot, there are probably attachments to 22 other sites that I have looked at, but 23 nothing with any regularity. 24 Q. Do you know who runs Second City</p>	<p style="text-align: center;">Page 23</p> <p>1 the question. 2 THE WITNESS: Can you repeat the 3 question. 4 MR. TAREN: Can you read it back. 5 (Whereupon, the record was 6 read as requested.) 7 THE WITNESS: I don't recall if I 8 have or haven't. 9 BY MR. TAREN: 10 Q. Do you know who Officer Keith 11 Herrera is? 12 A. I do. 13 Q. Did you know Keith Herrera? 14 A. I did not personally know him. 15 Q. And did you understand that he was 16 an officer who wore a wire in the 17 investigation of his partner? 18 A. That's what I read. 19 Q. Have you ever had any discussions 20 with anyone about Officer Herrera? 21 A. Not that I can recall. 22 Q. Are there any other blog spots or 23 blogs that you are aware of that deal with 24 the Chicago Police Department?</p>
<p style="text-align: center;">Page 22</p> <p>1 Cop Blog Spot? 2 A. I don't. 3 Q. I apologize for having to ask this 4 question about a specific blog spot, but I 5 do. Have you ever accessed a blog called 6 "shavedlongcock.blogspot"? 7 A. I believe that's one of the links 8 on Second City Cop, so I may have. 9 Q. Do you know who writes or is 10 involved with that blog spot? 11 A. I do not. 12 Q. Have you read any articles in that 13 blog spot that refer to Chicago police 14 officers who cooperated with the FBI? 15 A. I don't recall what I have read on 16 that blog spot. 17 Q. Do you have any recollection of 18 reading a blog spot that refers to Officer 19 Keith Herrera as a rat fink? 20 MR. KING: I'd just object to the 21 form of the question and the lack of 22 foundation, and frankly, the relevance. 23 Maybe we are moving towards something 24 relevant. I don't know, but you can answer</p>	<p style="text-align: center;">Page 24</p> <p>1 A. Nothing that I can recall at this 2 point. 3 Q. When you say that there is a link 4 to that blog spot on your blog -- I'm sorry, 5 is that what you said? 6 A. No. 7 Q. Have you kept a diary of any of 8 your activities on the Chicago Police 9 Department during your career? And by 10 diary, I mean either handwritten or 11 electronic? 12 A. No. 13 Q. Did you keep a calendar or a 14 notebook that dealt with your employment 15 with the Chicago Police Department? 16 A. I have had FOP books which has a 17 calendar that I receive each year from the 18 FOP. I know I have the current one. I 19 don't know if I have any subsequent ones. 20 Q. What I am really focusing on is 21 whether there are any documents in which you 22 made recordations of what conversations you 23 had or meetings that you had or 24 investigations you were involved in with the</p>

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<p style="text-align: center;">Page 25</p> <p>Chicago Police Department?</p> <p>A. I have a calendar on my phone that shows meetings I had with my attorneys, City attorneys, depositions and so forth.</p> <p>Q. Now, how long have you kept your calendar on your phone?</p> <p>A. On my personal phone, I have kept a calendar since I have opened the account, which is approximately two to three years ago.</p> <p>Prior to that, I had a department-issued BlackBerry, but I don't recall if I utilized that calendar function on the BlackBerry or not. I haven't had it in a couple of years.</p> <p>Q. When was the last time that you had the department-issued BlackBerry?</p> <p>A. Some point prior to April of 2014.</p> <p>Q. In calendar year 2010, did you have a smart phone?</p> <p>A. I had a department-issued BlackBerry.</p> <p>Q. And is it your testimony that they took it back at some point?</p>	<p style="text-align: center;">Page 27</p> <p>1 student? 2 Q. Yes. 3 A. No. 4 Q. At the beginning of this 5 deposition, you acknowledged that you have 6 given other depositions in the past. Can 7 you tell me how many depositions you have 8 given prior to today's? 9 A. I recall two. 10 Q. When was the last time? 11 A. Within the last few months. 12 Q. Was that the deposition in the 13 Hernandez case in February? 14 A. Yes. 15 Q. And how about before that, what 16 was the other deposition? 17 A. I believe it was the year prior, 18 some time in 2014. 19 Q. What case was that involved in? 20 A. I believe it's Jeff Allen versus 21 City of Chicago. 22 Q. Were you a party or a witness in 23 that case? 24 A. I am part of a class action</p>
<p style="text-align: center;">Page 26</p> <p>A. I turned it in, yes.</p> <p>Q. And that was around April of 2014?</p> <p>A. Yes.</p> <p>Q. When you turned it in, do you know what the policy is of the police department with regard to copying anything that's on your BlackBerry?</p> <p>A. I don't know what their policy is.</p> <p>Q. You have never seen an image of the BlackBerry that you used at that time? By "image," I mean just a copy of anything.</p> <p>A. I tried to save photos, personal photos, and I believe they trans -- someone assisted me in transferring my contacts.</p> <p>Q. Did you transfer anything else, such as emails or texts?</p> <p>A. I don't recall transferring texts. And as for the emails, I kept the same email account, so I didn't transfer, but they still would be under that same email account.</p> <p>Q. I understand. Did you ever go to Wright Junior College?</p> <p>A. Are you asking if I attended as a</p>	<p style="text-align: center;">Page 28</p> <p>1 lawsuit. 2 Q. As a Plaintiff? 3 A. Yes. 4 Q. What does that involve? 5 A. Overtime. 6 Q. When you say "overtime," what's the issue? 7 A. The issue is, as I understand it, is a number of officers, supervisors, within the Bureau of Organized Crime had been working during off-duty hours and not being compensated for it. 8 Q. Who is representing the Plaintiff in the Jeff Allen case? 9 A. I believe the attorney's name is Paul Geiger. 10 Q. And do you have a copy of the deposition that you gave in that case, or would Mr. Geiger have it? 11 A. Mr. Geiger should have it. 12 Q. And those are the only two depositions in a civil matter that you have given; is that correct? 13 A. That's all that I can recall.</p>

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<p style="text-align: center;">Page 29</p> <p>1 Q. Were there any depositions given 2 in the Sperling, the Joseph Sperling matter? 3 A. I was not deposed.</p> <p>4 Q. And have you testified under oath 5 in a trial or court proceeding in the past? 6 A. Yes.</p> <p>7 Q. On about how many occasions? 8 A. I would say well over a hundred.</p> <p>9 Q. And were these all matters that 10 were during the scope of your employment as 11 a Chicago police officer? 12 A. I believe so.</p> <p>13 Q. Did you ever testify in a civil 14 action? 15 A. I don't recall ever testifying in 16 a civil action other than the Anthony 17 Hernandez case.</p> <p>18 Q. Can you tell me what you did to 19 prepare for today's deposition? 20 A. I don't recall specifically doing 21 anything to prepare for today's deposition.</p> <p>22 Q. Did you meet with counsel? 23 A. I did meet with counsel.</p> <p>24 Q. So that's something, at least?</p>	<p style="text-align: center;">Page 31</p> <p>1 deposition, have you reviewed any testimony; 2 that is, transcripts of other depositions or 3 excerpts from transcripts of other 4 depositions taken already in this case? 5 A. I have been asked questions 6 regarding other depositions that I 7 understand that have been taken for this 8 case.</p> <p>9 Q. Okay. 10 A. I have not personally handled 11 depositions, but I have been read to from 12 depositions.</p> <p>13 Q. Okay. Was that from counsel or 14 from someone else? 15 A. From counsel.</p> <p>16 Q. By the way, just so it's clear, 17 are you represented by Mr. King in this 18 deposition -- 19 A. Yes.</p> <p>20 Q. -- is he your attorney? All 21 right. 22 Do you recall whose 23 depositions you heard excerpts from? 24 A. Shannon Spalding.</p>
<p style="text-align: center;">Page 30</p> <p>1 A. Okay.</p> <p>2 Q. And by "counsel," we are talking 3 about Mr. King? 4 A. Yes.</p> <p>5 Q. And did you review any documents? 6 A. I did.</p> <p>7 Q. Can you tell me what you reviewed? 8 A. I reviewed a confidential 9 informant packet, and I am not certain if 10 there were additional items presented to me. 11 I don't recall any additional items.</p> <p>12 Q. Did you review the complaint in 13 this case? 14 A. Not at my meeting with my 15 attorney.</p> <p>16 Q. Some other time you did? 17 A. Yes.</p> <p>18 Q. When? 19 A. Most likely immediately after 20 finding out I was named in the case.</p> <p>21 Q. You understand you are not 22 currently a party in this case? 23 A. Yes.</p> <p>24 Q. And have you prior to today's</p>	<p style="text-align: center;">Page 32</p> <p>1 Q. Anyone else? 2 A. No.</p> <p>3 Q. Not Danny? 4 A. Not that I recall, no.</p> <p>5 Q. We talked about documents that you 6 reviewed. Have you had any conversations 7 with anyone who was previously deposed in 8 this case about the case? 9 MR. KING: I'll just object to the 10 form and the timing. About the depositions 11 after their depositions?</p> <p>12 MR. TAREN: Correct. Yes.</p> <p>13 THE WITNESS: Not that I know of, 14 but I don't know who is being deposed in 15 this case, and I don't know who has been 16 deposed in this case necessarily.</p> <p>17 BY MR. TAREN:</p> <p>18 Q. So what my question was focusing 19 on is whether anyone ever told you, I gave a 20 deposition and here is what happened with 21 regard to the Spalding versus City case? 22 A. No.</p> <p>23 Q. Can you take me through your job 24 history at the Chicago Police Department. I</p>

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<p style="text-align: center;">Page 33</p> <p>1 know you have been there for a while, but 2 what assignments or what departments you 3 have been in?</p> <p>4 A. When I first became a police 5 officer, I was assigned to the 24th 6 district, Rogers Park. I was assigned there 7 for six years. Then I was promoted to 8 sergeant.</p> <p>9 Q. What year was that?</p> <p>10 A. 2004.</p> <p>11 Q. Okay.</p> <p>12 A. I was assigned to the 17th 13 district, and then detailed to the 11th 14 district.</p> <p>15 Q. For how long?</p> <p>16 A. Just a matter of a few months, 17 maybe four months in the 11th district.</p> <p>18 Q. All right. Then what?</p> <p>19 A. I returned back to the 17th 20 district, and then I was assigned to the 21 Area 3 Deputy Chief's Office as an 22 administrative sergeant.</p> <p>23 Q. When was that?</p> <p>24 A. Approximately 2006.</p>	<p style="text-align: center;">Page 35</p> <p>1 Q. That will help. 2 A. Peter Piazza, Bill Dunn, Bill 3 Kilroy, Jose Ramirez, Susan Schmidt, Eric 4 Carter, Deputy Chief Steve Caluris. And at 5 this point, I can't recall if there were 6 others.</p> <p>7 Q. Who are the commanders that you 8 worked under?</p> <p>9 A. Commander O'Grady.</p> <p>10 Q. For that whole period of time?</p> <p>11 A. No. I went to Narcotics under 12 Deputy Chief Caluris.</p> <p>13 Q. When did you start working under 14 Commander O'Grady?</p> <p>15 A. I don't recall when he arrived in 16 Narcotics, but I know I had been in 17 Narcotics at least a year prior to him 18 becoming the new commander.</p> <p>19 Q. So when did you first encounter 20 Shannon Spalding? We will take them one at 21 a time as opposed to Shannon and Danny.</p> <p>22 A. I don't recall exactly when I 23 first met Shannon Spalding. I believe it 24 was during my time in Narcotics.</p>
<p style="text-align: center;">Page 34</p> <p>1 Q. Who was the deputy that you were 2 assigned to at that time?</p> <p>3 A. Lee Epplen.</p> <p>4 Q. How long were you in that 5 position?</p> <p>6 A. Approximately six months.</p> <p>7 Q. Then what?</p> <p>8 A. From there I went to Narcotics.</p> <p>9 Q. For what period of time?</p> <p>10 A. From -- I believe it was either 11 2006 or 2007. I am currently assigned there 12 now. But like I said, for the last year, I 13 have been detailed to Alternate Response.</p> <p>14 Q. So with regard to the assignment 15 as opposed to being detailed, you have been 16 assigned to Narcotics then continuously from 17 2006 or '07 until the present; is that 18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. All right. During that period of 21 time, tell me who you reported to. I know 22 it changed but --</p> <p>23 A. Yes. I will give you the 24 lieutenants I remember being there.</p>	<p style="text-align: center;">Page 36</p> <p>1 Q. And would that be the same for 2 Danny Echeverria?</p> <p>3 A. Yes.</p> <p>4 Q. Did they report to you for some 5 period of time?</p> <p>6 A. I was never assigned as their 7 supervisor.</p> <p>8 Q. Were you familiar with the work 9 that they did in Narcotics?</p> <p>10 A. Nothing specific. I knew they 11 were in Narcotics.</p> <p>12 Q. By the way, had you known anything 13 about either of them before they came to 14 Narcotics, either by reputation or personal 15 encounter?</p> <p>16 A. I don't recall anything.</p> <p>17 Q. Is Narcotics considered an elite 18 unit to be in?</p> <p>19 MR. KING: I'd just object to the 20 lack of foundation, but you can give your 21 opinion.</p> <p>22 THE WITNESS: I know I wanted to 23 be there. I don't know if I ever referred 24 to it as elite.</p>

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<p style="text-align: center;">Page 37</p> <p>1 BY MR. TAREN:</p> <p>2 Q. So why don't we just focus on you</p> <p>3 then. Why did you want to be there?</p> <p>4 A. I personally wanted to be there</p> <p>5 because we weren't necessarily tied to a</p> <p>6 district, to radio calls. We had more</p> <p>7 freedom to chase bigger criminals, make</p> <p>8 bigger cases.</p> <p>9 Q. Was it a difficult assignment for</p> <p>10 you to get?</p> <p>11 A. I applied. I filled out an</p> <p>12 application, and I was interviewed, and I</p> <p>13 received the position as a sergeant.</p> <p>14 Q. Do you know whether it is a</p> <p>15 difficult position for an officer, a patrol</p> <p>16 officer, to get into the Narcotics Division?</p> <p>17 MR. KING: Same objection to the</p> <p>18 lack of foundation. But if you know, you</p> <p>19 can answer.</p> <p>20 THE WITNESS: People are brought</p> <p>21 to Narcotics for all different reasons.</p> <p>22 Some people apply because they think they</p> <p>23 have great numbers, and they would be an</p> <p>24 asset to the unit.</p>	<p style="text-align: center;">Page 39</p> <p>1 the people I have spoken to would like to</p> <p>2 stay in Narcotics.</p> <p>3 Q. Is one of the perks of being in</p> <p>4 Narcotics the fact that because of the</p> <p>5 nature of the work, you have opportunities</p> <p>6 to work a lot of overtime?</p> <p>7 A. Depends on which team you are on.</p> <p>8 My team, we worked a lot of overtime. Some</p> <p>9 teams choose not to work a lot of overtime.</p> <p>10 Q. What is it about the teams that</p> <p>11 would determine whether there was a lot of</p> <p>12 overtime available or not?</p> <p>13 A. I believe it would be up to the</p> <p>14 supervisor and the people on the team. Some</p> <p>15 people have family obligations. Some</p> <p>16 supervisors have family obligations that</p> <p>17 don't allow for them to work a lot of</p> <p>18 overtime.</p> <p>19 Q. So when I say, "the opportunity,"</p> <p>20 do I understand then that if you're</p> <p>21 ambitious and you want to work overtime,</p> <p>22 that the Narcotics Division gives you that</p> <p>23 opportunity?</p> <p>24 A. Depending on your sergeant, you</p>
<p style="text-align: center;">Page 38</p> <p>1 Some people, it's my</p> <p>2 understanding, have been asked to go to</p> <p>3 Narcotics because of what they do on the</p> <p>4 street. So I think it depends on the</p> <p>5 individual officer. So I can't speak for</p> <p>6 everyone that's in Narcotics.</p> <p>7 There is competition to get in</p> <p>8 Narcotics, and I would say it's difficult</p> <p>9 for some people to get into Narcotics, yes.</p> <p>10 BY MR. TAREN:</p> <p>11 Q. Is it the kind of thing that when</p> <p>12 people get in, they tend to stay for long</p> <p>13 periods of time?</p> <p>14 A. I can speak for myself. I</p> <p>15 intended to stay for a long period of time.</p> <p>16 Q. I am asking because, I assume,</p> <p>17 that you have talked with other sergeants</p> <p>18 and other patrol officers about their</p> <p>19 experiences in Narcotics, and wondering</p> <p>20 whether you have arrived at a conclusion</p> <p>21 that, you know, this is the kind of division</p> <p>22 people don't pass-through, but come in to</p> <p>23 make a career of?</p> <p>24 A. I would say that the majority of</p>	<p style="text-align: center;">Page 40</p> <p>1 definitely can have an opportunity to work a</p> <p>2 lot of overtime.</p> <p>3 Q. During your time in Narcotics,</p> <p>4 have you ever been involved in any of the</p> <p>5 decision-making with regard to giving</p> <p>6 assignments to patrol officers to come in;</p> <p>7 that is, either the interview process or</p> <p>8 anything of that sort?</p> <p>9 Do you understand the</p> <p>10 question? That's a terrible question.</p> <p>11 MR. KING: Come into the Narcotics</p> <p>12 Division?</p> <p>13 MR. TAREN: Right.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. Have you been involved in the</p> <p>16 selection process in any way, either as a</p> <p>17 decision-maker or giving input, into the</p> <p>18 decisions to allow someone to come into</p> <p>19 Narcotics?</p> <p>20 A. Yes.</p> <p>21 Q. Tell me what roles you have played</p> <p>22 in that regard? Have you been a</p> <p>23 decision-maker?</p> <p>24 A. I cannot decide if someone comes</p>

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<p style="text-align: center;">Page 41</p> <p>1 into Narcotics or leaves Narcotics. I have 2 been part of the interview process, where a 3 candidate has been interviewed by two 4 sergeants and a lieutenant, and then we 5 discuss the pluses and negatives for each 6 candidate. And we complete an interview 7 packet for that candidate with their 8 responses to questions, and we put our own 9 personal recommendations in those packets, 10 and they are submitted up the chain of 11 command.</p> <p>Q. And then someone above you makes the final decision?</p> <p>12 A. Yes.</p> <p>Q. Tell me what factors you consider when determining assignments to Narcotics -- when interviewing potential applicants?</p> <p>13 A. I would consider their arrest numbers, complaints against them. I would consider attendance. I would consider any additional skills.</p> <p>14 Some people on their application list language skills, which would be beneficial. Previous experience in</p>	<p style="text-align: center;">Page 43</p> <p>1 Echeverria worked with my team because they 2 had information that they wanted to act 3 upon, and it was my understanding that they 4 needed assistance through the Narcotics 5 Division.</p> <p>Q. When you say they worked with your team at that time, was that at a time where they were working within Narcotics or --</p> <p>6 A. I believe at the time, they were 7 -- they were detailed to Detached Services.</p> <p>Q. Who was on your team at that time?</p> <p>8 A. My team has changed dramatically 9 over the period of seven years, so I can say 10 I know that Anthony Hernandez was on the 11 team at the time. Vince Morgan was on the 12 team at the time. I am trying to think who 13 else. I would be guessing if I gave out --</p> <p>Q. Well, let me focus because you mentioned that you had looked at the confidential informant packet, and I am going to be showing you that as well. But at that period of time in, August of 2010, do you recall who was on your team?</p> <p>14 A. Off the top of my head, I don't</p>
<p style="text-align: center;">Page 42</p> <p>1 making undercover narcotic purchases with 2 either other departments, or within their 3 unit of assignment. So items of that 4 nature.</p> <p>Q. Anything else?</p> <p>5 A. To be honest with you, I would 6 have to look at everything that would be 7 presented to me, and every -- I would 8 consider everything that's presented to me.</p> <p>Q. Were you involved in any way in the application process for Danny Echeverria or Shannon to come into Narcotics?</p> <p>9 A. No.</p> <p>Q. Tell me between 2007 and 2010 what kind of working relationship did you have with either Danny or Shannon, if any?</p> <p>10 A. I was never -- that I recall, they 11 were never assigned to a team that I was 12 responsible for. I don't recall any 13 specific instances where I was watching them 14 or their team while their supervisor was 15 gone.</p> <p>16 I do know in 2010 -- I believe 17 it was 2010, Officers Spalding and</p>	<p style="text-align: center;">Page 44</p> <p>1 remember every member that was on my team.</p> <p>Q. If I gave you some names, can you tell me if it refreshes your recollection?</p> <p>2 A. Sure.</p> <p>Q. Craig; was Craig on your team?</p> <p>3 A. He very well could have been on my 4 team.</p> <p>Q. I am saying August of 2010.</p> <p>5 MR. KING: Don't guess.</p> <p>BY MR. TAREN:</p> <p>Q. What about Marco?</p> <p>6 A. Yes, he could have been on my team 7 at that time.</p> <p>Q. Mickey?</p> <p>8 A. He could have been on my team at 9 that time.</p> <p>Q. Do you think that rounds up your team, or is there somebody that we don't know about?</p> <p>10 A. I typically had six to ten people 11 on my team at any time. To be honest with 12 you, that was five years ago, approximately.</p> <p>Q. Yes.</p> <p>13 A. And there was a lot of turnover.</p>

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<p>1 So without reviewing my, you know, time 2 sheets, I wouldn't know exactly who was 3 there five years ago on that date.</p> <p>4 Q. Did you become aware when Danny 5 and Shannon were first detailed to Detached 6 Services?</p> <p>7 A. I don't recall when I became aware 8 that they were detailed to Detached 9 Services.</p> <p>10 Q. Am I correct in saying it was well 11 before August of 2010?</p> <p>12 A. To be honest with you, I don't 13 know when they were detailed there.</p> <p>14 Q. At some point, did you find out 15 from any source what Danny and Shannon's 16 assignment was at Detached Services, and who 17 they were working with?</p> <p>18 A. At one point, myself and my team 19 were assigned to the -- to Area 1, and 20 that's where we were supposed to generate 21 the majority of our activity. One of the 22 districts within Area 1 is the 2nd district. 23 This was one of our areas of responsibility. 24 I remember seeing Officers</p>	<p>1 exactly certain what they do or what they 2 don't do, but they are doing something above 3 and beyond Narcotics is my assumption. 4 So it wouldn't surprise me 5 that her and her partner would be working on 6 dirty cops.</p> <p>7 Q. Had you prior to that conversation 8 that you say you had, had you heard from any 9 other source that either Danny or Shannon 10 were working on dirty cops at that time?</p> <p>11 A. Not that I recall.</p> <p>12 Q. Had you heard from any source 13 prior to that time that they were working 14 with the FBI on some kind of investigation?</p> <p>15 A. Not that I recall.</p> <p>16 Q. Now that question was: Prior to 17 that conversation, at some point, did you 18 learn that Danny and Shannon were detailed 19 to Detached Services and were working with 20 the FBI?</p> <p>21 MR. KING: I'll object to the 22 form. He answered for before, so now you 23 are saying after.</p> <p>24 MR. TAREN: Now I am just asking</p>
<p>1 Spalding and Echeverria driving around in 2 the 2nd district, and speaking to them. I 3 knew them from -- knew of them from 4 Narcotics, and I am trying to recall if 5 that's when I found out they were detailed 6 to Detached Services because I had spoken 7 with them when I had seen them in the 8 district.</p> <p>9 I believe Officer Spalding 10 told me that they were working on dirty cops 11 in the 2nd district, but that was the extent 12 of that.</p> <p>13 Q. Any idea when that was?</p> <p>14 A. All I could say is it was prior -- 15 I believe it would be prior to August 16 of 2010. I don't recall how many months or 17 weeks before.</p> <p>18 Q. Did that surprise you when she 19 allegedly told you that she was working on 20 dirty cops?</p> <p>21 A. No.</p> <p>22 Q. Why not?</p> <p>23 A. Well, when I realized that she was 24 working for Detached Services, I am not</p>	<p>1 after.</p> <p>2 MR. KING: At some point, at any 3 point?</p> <p>4 MR. TAREN: At some point 5 afterwards because then I am going to ask 6 you when you first learned that.</p> <p>7 MR. KING: Can you rephrase the 8 question or repeat it.</p> <p>9 BY MR. TAREN:</p> <p>10 Q. At some point, did you learn that 11 Danny and Shannon were working with the FBI 12 on some investigation?</p> <p>13 A. Yes.</p> <p>14 Q. When was the first time you 15 learned that?</p> <p>16 A. When I read about it in the media.</p> <p>17 Q. And that was associated with 18 publicity around the filing of their 19 lawsuit, is that your testimony?</p> <p>20 A. I don't know when it was in 21 comparison to the filing of their lawsuit.</p> <p>22 Q. But you say when you read about it 23 in the media. Where? In the newspaper?</p> <p>24 A. In the newspaper.</p>

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<p style="text-align: center;">Page 49</p> <p>1 Q. And prior to that time, had you 2 heard from any source that Danny and Shannon 3 had been working along with the FBI on some 4 investigation?</p> <p>5 A. Prior to that, I don't recall ever 6 hearing that they were working with the FBI.</p> <p>7 Q. Before whatever media that you 8 saw, had you heard from any source what, in 9 fact, other than what you just said about 10 this conversation with -- you said you had 11 with Shannon, what, in fact, they were 12 working on in Detached Services?</p> <p>13 A. Other than my conversation with 14 her, I wasn't aware of what they were 15 working on in Detached Services.</p> <p>16 Q. So you never heard anyone in 17 Narcotics -- strike that.</p> <p>18 Did you ever hear anyone in 19 Narcotics talk about what Danny and Shannon 20 were doing in Detached Services?</p> <p>21 A. I don't recall ever hearing 22 anything regarding what they were doing in 23 Detached Services from anyone other than 24 Shannon Spalding.</p>	<p style="text-align: center;">Page 51</p> <p>1 members, and shouldn't have been with them.</p> <p>2 Q. Is it your testimony that you have 3 never heard -- prior to the publicity of the 4 filing of their lawsuit, I believe we are 5 talking November of 2012, is it your 6 testimony that you never heard anyone in 7 Narcotics, from patrol officers up to 8 commander, talk about Danny and Shannon?</p> <p>9 A. Again, I don't know when the media 10 reported on this versus when they filed 11 their lawsuit.</p> <p>12 Q. So I am -- the time period I am 13 placing is prior to you hearing from the 14 media, whenever that was, prior to you 15 hearing from the media, is it your testimony 16 that no one -- you never heard anyone in 17 Narcotics talk about Danny or Shannon?</p> <p>18 MR. KING: I'd just object to the 19 form.</p> <p>20 About anything about them?</p> <p>21 MR. TAREN: About anything, and 22 then I will narrow it down.</p> <p>23 MR. KING: That's a different 24 question than what he's been testifying to</p>
<p style="text-align: center;">Page 50</p> <p>1 Q. At some point, did you become 2 aware that Danny and Shannon were involved 3 in an investigation of Officers Watts and 4 Mohammed?</p> <p>5 A. Yes.</p> <p>6 Q. When did you first become aware of 7 that?</p> <p>8 A. When it was presented in the 9 media.</p> <p>10 Q. Now you talked about your 11 conversation with Shannon. Did you ever 12 have a conversation with Danny Echeverria 13 about what they were doing in Detached 14 Services or in the 2nd district?</p> <p>15 A. Not that I recall. I don't recall 16 if Mr. Echeverria was present when Shannon 17 and I had spoke in the 2nd district.</p> <p>18 Q. It's possible he was present 19 during that time?</p> <p>20 A. Yes.</p> <p>21 Q. Was anyone else with him? Was 22 Officer Hernandez with him at that time?</p> <p>23 A. I wouldn't think so because 24 Officer Hernandez was one of my team</p>	<p style="text-align: center;">Page 52</p> <p>1 but...</p> <p>2 THE WITNESS: I have heard people 3 talk about Shannon in Narcotics prior to 4 that being released in the media, yes.</p> <p>5 BY MR. TAREN:</p> <p>6 Q. Who did you hear talk about 7 Shannon?</p> <p>8 A. He is now Captain Navarro, Kevin 9 Navarro.</p> <p>10 Q. When did you hear him talk about 11 Shannon?</p> <p>12 A. It could have been maybe 2008, 13 2009.</p> <p>14 Q. What was the subject matter that 15 you recall?</p> <p>16 A. He asked me if I knew Shannon 17 Spalding, and I said I knew of her. And he 18 asked me if I would handle a CR number, an 19 investigation, into an allegation of 20 insubordination on her part.</p> <p>21 Q. Okay.</p> <p>22 A. And I said, I was willing to 23 accept the investigation.</p> <p>24 Q. Did you do that?</p>

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<p>1 A. Yes.</p> <p>2 Q. What did that investigation</p> <p>3 involve? What was the CR about?</p> <p>4 A. If I recall correctly, it had</p> <p>5 something to do with Officer Spalding on the</p> <p>6 medical and not appearing in court, and I</p> <p>7 conducted an investigation into the</p> <p>8 allegations.</p> <p>9 And if I recall correctly, my</p> <p>10 investigation led me to put a recommendation</p> <p>11 to exonerate it forward.</p> <p>12 Q. Are there any other instances that</p> <p>13 you recall having a discussion with someone</p> <p>14 from Narcotics about Shannon?</p> <p>15 A. Are you talking about prior to</p> <p>16 this?</p> <p>17 Q. Yes, prior to the media exposure.</p> <p>18 A. I can't recall any specific</p> <p>19 conversations, but I do know -- I believe</p> <p>20 her boyfriend is Tony Hernandez, and he was</p> <p>21 on my team, so I may have spoken to him</p> <p>22 about her, but I don't recall specific</p> <p>23 conversations.</p> <p>24 Q. That's my next question.</p>	<p>1 Take your time, take a look at it, and then</p> <p>2 tell me if you recognize that?</p> <p>3 A. I do recognize it.</p> <p>4 Q. And what is that?</p> <p>5 A. It's a request to register a</p> <p>6 cooperating individual.</p> <p>7 Q. How did this first come to your</p> <p>8 attention?</p> <p>9 A. If I recall correctly, Officer</p> <p>10 Spalding handed it to me to review and</p> <p>11 approve and present up my chain of command</p> <p>12 for approval.</p> <p>13 Q. You are going to have to educate</p> <p>14 me on what the process is for getting</p> <p>15 approval of a cooperating individual request</p> <p>16 at that time. What's the process? What was</p> <p>17 the process in August of 2010?</p> <p>18 A. Well, the process for getting the</p> <p>19 packet approved is to present it to a</p> <p>20 supervisor, have the supervisor review it</p> <p>21 for -- to make sure it's complete, and</p> <p>22 accurate, and then send it up the chain to</p> <p>23 have a lieutenant review it and have a</p> <p>24 commander review it and approve it.</p>
<p>1 A. Okay.</p> <p>2 Q. You have no recollection of a</p> <p>3 specific conversation with Mr. Hernandez</p> <p>4 about Shannon; is that correct?</p> <p>5 A. I don't recall anything</p> <p>6 specifically at this point.</p> <p>7 Q. But it's likely that you had</p> <p>8 conversations at times with him that may</p> <p>9 have mentioned --</p> <p>10 A. Absolutely.</p> <p>11 Q. -- Shannon?</p> <p>12 And you were aware that they</p> <p>13 were in a boyfriend-girlfriend relationship,</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. Let's talk about the Cooperating</p> <p>17 Individual Requests. Could you mark this as</p> <p>18 Padar Exhibit 1.</p> <p>19 (Whereupon, Padar Deposition</p> <p>20 Exhibit No. 1 was marked for</p> <p>21 identification.)</p> <p>22 BY MR. TAREN:</p> <p>23 Q. I am showing you what we have</p> <p>24 marked as Padar Deposition Exhibit Number 1.</p>	<p>1 Page 56</p> <p>2 Q. Where were you when Shannon handed</p> <p>3 this to you?</p> <p>4 A. I believe I was at Homan Square.</p> <p>5 Q. Did you have a conversation with</p> <p>6 her at that time about the purpose of this?</p> <p>7 A. I don't recall any specific</p> <p>8 conversation, but I would assume that if she</p> <p>9 handed this to me for approval that we had</p> <p>10 conversation about it.</p> <p>11 Q. Was this informant familiar to</p> <p>12 you?</p> <p>13 A. Not that I'm aware of, and I don't</p> <p>14 recognize him on today's date.</p> <p>15 Q. And is it your testimony that you</p> <p>16 don't recall any discussion about what the</p> <p>17 investigation was that Shannon asked to have</p> <p>18 David Holmes registered for?</p> <p>19 A. Correct.</p> <p>20 Q. Do you have any recollection of</p> <p>21 being told that David Holmes was cooperating</p> <p>22 with the Feds in any way in any kind of</p> <p>23 investigation?</p> <p>24 A. I don't recall that.</p> <p> Q. How do you go about handing this</p>

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<p style="text-align: center;">Page 57</p> <p>1 up the chain of command? Do you do this by 2 oral presentation to your lieutenant, or do 3 you submit a form or a memo or anything of 4 that sort?</p> <p>5 A. It's been my practice in the past 6 to present it in person to the next step in 7 my chain of command, which would be the 8 lieutenant.</p> <p>9 In this instance, to be honest 10 with you, I don't recall if I presented it 11 in person or not. I very well may have.</p> <p>12 Q. Who is the lieutenant that you 13 would present it to?</p> <p>14 A. At that time, I am not -- I don't 15 recall which lieutenant I presented it to. 16 I don't recognize the -- I can't make out 17 the signature on here.</p> <p>18 Q. Do you recall anything about the 19 presentation that you made to the lieutenant 20 to seek approval of this cooperating 21 individual?</p> <p>22 A. I don't.</p> <p>23 Q. Was anyone else with you at the 24 time that you made your presentation?</p>	<p style="text-align: center;">Page 59</p> <p>1 Q. And that's the signature under the 2 word "sergeant" with Star Number 1210?</p> <p>3 A. Yes.</p> <p>4 Q. And does that indicate that you 5 signed this on August 17th of 2010?</p> <p>6 A. Yes.</p> <p>7 Q. I know you alluded. I am pretty 8 sure I know what the answer is going to be, 9 but I have to ask you whose signature is 10 right underneath yours?</p> <p>11 A. I don't know.</p> <p>12 Q. And are there any lieutenants 13 other than the names that you gave me 14 earlier in this deposition that would have 15 been authorized to sign this approval?</p> <p>16 So my question, is it one of 17 those guys, the lieutenants whose names you 18 recounted, or is it someone else?</p> <p>19 A. It could have been someone else. 20 I don't recall every lieutenant that's been 21 there over the period of time that I was 22 there. I don't recall what lieutenants were 23 assigned to Narcotics on August 17, 2010.</p> <p>24 I know there is a lieutenant</p>
<p style="text-align: center;">Page 58</p> <p>1 A. I don't recall.</p> <p>2 Q. When you make a presentation like 3 that, do you take notes or anything?</p> <p>4 A. No.</p> <p>5 Q. Do you submit any to/froms or 6 memos?</p> <p>7 A. No, I don't recall ever that.</p> <p>8 Q. Do you recall what the result was 9 of your presentation with regard to approval 10 of David Holmes as a CI? Was it approved?</p> <p>11 MR. KING: I just want to object 12 to the word "presentation." I think he 13 testified he can't recall whether he did it 14 in person or exactly how he did it in this 15 instance. Assuming that's what we mean when 16 we say "presentation," that's fine.</p> <p>17 THE WITNESS: I would assume by 18 looking at this document that it was 19 approved by a lieutenant. I don't recall if 20 it was in person or how it was presented.</p> <p>21 BY MR. TAREN:</p> <p>22 Q. Is your signature on this 23 document?</p> <p>24 A. Yes, it is.</p>	<p style="text-align: center;">Page 60</p> <p>1 who I believe is now a commander. I can't 2 think of his name, but he is not included on 3 your list, but I don't -- I don't recall his 4 name. He was there for a very brief period 5 of time, and then he became the commander of 6 the 25th district.</p> <p>7 Q. After this presentation to the 8 lieutenant, what was the process after that 9 with regard to this request for approval of 10 the cooperating individual?</p> <p>11 A. The process would require that 12 this be forwarded to the commander.</p> <p>13 Q. And that would have been O'Grady 14 at the time, James O'Grady; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Did you forward this to James 17 O'Grady?</p> <p>18 A. I don't recall if I did or the 19 lieutenant did.</p> <p>20 Q. How would we determine who did? 21 Is there some document that would indicate 22 who made the presentation -- who presented 23 it to Commander O'Grady?</p> <p>24 A. If there is, I am not aware of a</p>

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<p>1 document on who handed this to Mr. O'Grady. 2 Q. Is there any form that you are 3 required to fill out when you are presenting 4 this up the chain of command that's not 5 contained in Padar Exhibit 1? 6 A. I have to say I don't know. 7 Q. Do you have recollection of having 8 any contact with James O'Grady concerning 9 the request of Shannon Spalding and Danny 10 Echeverria to register this informant, David 11 Holmes? 12 A. I did have communication with him. 13 Q. And what was the nature of that 14 communication? 15 A. I remember Commander O'Grady 16 asking me why I signed it. I remember him 17 asking why their sergeant didn't sign it. I 18 remember him asking me if I knew who their 19 sergeant was, and I remember him asking me 20 if their sergeant was aware of what they 21 were doing with this, and that they were 22 signing this gentleman up. 23 Q. What did you tell him? 24 A. I told him that I wasn't aware of</p>	<p>1 individual request? 2 A. Yes. 3 Q. Was this face-to-face? 4 A. Yes. 5 Q. Was anyone else present? 6 A. Not that I recall. 7 Q. Did O'Grady ask you anything about 8 the nature of the investigation that Shannon 9 and Danny were conducting with the use of 10 this informant? 11 A. Not that I recall. 12 Q. Did you tell him that they were 13 working on investigating dirty cops? 14 A. No. 15 Q. Did that come up at all? 16 A. No. 17 Q. Did O'Grady ask you anything about 18 the investigation that Shannon -- about your 19 knowledge of what Shannon and Danny were 20 doing? 21 MR. KING: I'd object; asked and 22 answered. 23 You can answer again. 24 THE WITNESS: I don't recall</p>
<p>1 who their sergeant was, and I told him that 2 I wasn't aware of whether or not their 3 supervisor was aware what they were doing or 4 that they were signing up this informant. 5 Q. And what else was said in this 6 conversation then? 7 A. He told me that he wouldn't sign 8 it at this point, and that I would have to 9 have them get their supervisor to sign it, 10 so he could ensure that their supervisors 11 were aware of what was going on. 12 Q. And did you say anything further? 13 A. I don't recall saying anything 14 further. 15 Q. Do you recall if Commander O'Grady 16 said anything further? 17 A. I don't recall him saying anything 18 further. 19 Q. Did you discuss in that 20 conversation -- strike that. 21 First of all, does this 22 refresh your recollection that, in fact, you 23 did have a personal communication with James 24 O'Grady concerning this cooperating</p>	<p>1 having any knowledge of what investigation 2 this individual was going to be part of, and 3 I don't recall Commander O'Grady asking me 4 any questions about what this person was 5 going to be involved in. 6 BY MR. TAREN: 7 Q. Did Commander O'Grady ask you 8 anything about what Danny and Shannon were 9 involved in? 10 A. Not that I recall. 11 Q. Did you discuss with Commander 12 O'Grady the fact that Danny and Shannon 13 were, at that time, in Detached Services? 14 A. I think our conversation alluded 15 to the fact that they were in Detached 16 Services because I was not their supervisor, 17 and he asked if their supervisor was aware 18 of this. 19 Q. And when he asked if their 20 supervisor was aware of this, then you -- 21 did you allude to the fact that they were 22 not reporting directly to Narcotics but were 23 in Detached Services? 24 MR. KING: Objection; asked and</p>

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<p>1 answered to what he alluded to. 2 But you can state the 3 conversation again. 4 THE WITNESS: Commander O'Grady 5 asked me if Shannon and Danny's supervisor 6 was aware of this informant and how they 7 were planning on using the informant, and I 8 said, I don't know. I didn't know who their 9 supervisor was. I didn't know the purposes 10 for which this informant was going to be 11 used specifically. 12 BY MR. TAREN: 13 Q. Now you knew at that time that 14 they were in Detached Services, correct? 15 A. Yes. 16 Q. And are you telling me that you 17 did not mention that to James O'Grady in 18 that conversation? 19 A. I don't know why I would have 20 mentioned that. I don't recall mentioning 21 it. I don't know why I would have mentioned 22 it. I would assume that the commander of a 23 unit would know who is assigned to his unit. 24 Q. So based on your encounter with</p>	<p>1 any of the other sergeants? 2 A. I don't recall talking to any 3 sergeants regarding this. 4 Q. Did you go back to talk to the 5 lieutenant who had -- who we don't know 6 whose signature that is? 7 A. I don't recall going back to a 8 lieutenant. 9 Q. How did you arrange to speak with 10 Shannon? Did you call her up? 11 A. I don't recall. 12 Q. Did you meet with her somewhere? 13 A. I believe I did. 14 Q. Where was that? 15 A. I am not certain of the location 16 where we met. I believe it was at the Homan 17 Square facility. 18 Q. In the parking lot? 19 A. That I don't know. 20 Q. And do you recall who was present 21 when you met with her? 22 A. I don't. 23 Q. Was this a prearranged meeting? 24 A. I don't recall if it was</p>
<p style="text-align: center;">Page 66</p> <p>1 and your discussion with James O'Grady that 2 we have just been talking about, were you 3 under the impression that he was aware of 4 what Danny and Shannon's assignment was at 5 that time? 6 MR. KING: Object to the form. 7 You can answer. 8 THE WITNESS: I don't know what he 9 was aware of at the time, other than my own 10 assumptions that he was aware that they 11 weren't in Narcotics. 12 BY MR. TAREN: 13 Q. So what did you do after the -- 14 after Commander O'Grady refused to sign the 15 approval? 16 MR. KING: I'd just object to the 17 characterization "refusal," but you can 18 answer. 19 THE WITNESS: I believe I returned 20 it to Officer Spalding and let her know the 21 reasoning behind why it was not signed. 22 BY MR. TAREN: 23 Q. Before returning it to Officer 24 Spalding, did you make an effort to talk to</p>	<p style="text-align: center;">Page 68</p> <p>1 prearranged. I know that we were working -- 2 we had worked together on other cases; 3 Officer Spalding and Officer Echeverria, 4 along with my team. And I don't know if 5 they were present because of something else 6 we were working on, or if I went to meet 7 them, or if they were at Homan Square, that 8 I don't recall. 9 Q. You are not suggesting that the 10 next meeting you had with regard to this 11 cooperating individual request was just a 12 chance encounter, are you? Did you just run 13 into her? 14 A. I am not certain if she was at 15 Homan Square because she had been at Homan 16 Square on numerous occasions before that 17 working with my team. 18 Q. Okay. 19 A. So like I said before, I don't 20 recall exactly where we met. So I can't be 21 certain, no. 22 Q. Do you have a recollection of this 23 meeting taking place in the 7th district 24 parking lot?</p>

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<p>1 A. No.</p> <p>2 Q. Is it possible?</p> <p>3 A. It could be possible.</p> <p>4 Q. Do you have a recollection of</p> <p>5 Danny Echeverria and Anthony Hernandez being</p> <p>6 present for this conversation?</p> <p>7 A. I don't.</p> <p>8 Q. And that's another thing that</p> <p>9 possibly you just don't recall; is that</p> <p>10 correct?</p> <p>11 A. It's possible.</p> <p>12 Q. Tell me what you recall saying to</p> <p>13 Shannon and what she said to you in this</p> <p>14 encounter.</p> <p>15 A. I recall letting her know that</p> <p>16 Commander O'Grady wanted her to have the</p> <p>17 supervisor approve this and then forward it</p> <p>18 back up to him. I don't recall what her</p> <p>19 response was.</p> <p>20 Q. Do you recall whether she was</p> <p>21 happy with that?</p> <p>22 A. I don't.</p> <p>23 Q. Do you recall whether anyone else</p> <p>24 participated in this conversation?</p>	<p>1 O'Grady?</p> <p>2 A. I don't recall.</p> <p>3 Q. Was it within two or three days?</p> <p>4 A. This is going on almost five</p> <p>5 years, so I don't recall if there was five</p> <p>6 days in between or one day in between or ten</p> <p>7 days in between. I don't recall.</p> <p>8 Q. Before returning the cooperating</p> <p>9 individual request to Shannon, did you speak</p> <p>10 with any other officers about anything to do</p> <p>11 with the approval of David Holmes?</p> <p>12 A. Not that I recall.</p> <p>13 Q. How unusual was it for Commander</p> <p>14 O'Grady to refuse to approve a cooperating</p> <p>15 individual request?</p> <p>16 MR. KING: Object to the form of</p> <p>17 the question. Lack of foundation.</p> <p>18 MR. TAREN: Strike that. Let me</p> <p>19 try and lay a foundation. You are right.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. On how many occasions have you</p> <p>22 presented a cooperating individual request</p> <p>23 to Commander O'Grady?</p> <p>24 A. Maybe a dozen times.</p>
<p style="text-align: center;">Page 70</p> <p>1 A. I don't.</p> <p>2 Q. How long was it after Shannon had</p> <p>3 presented you with the request that is</p> <p>4 Exhibit 1 that you gave it back to her?</p> <p>5 A. I don't recall.</p> <p>6 Q. Well, just exploring your memory,</p> <p>7 are we talking about the same day? Was it</p> <p>8 the same day?</p> <p>9 A. From reviewing this document --</p> <p>10 Q. Yes.</p> <p>11 A. -- I don't believe it was the same</p> <p>12 day.</p> <p>13 Q. Okay. And is that because we have</p> <p>14 one signature on the 17th and one on the</p> <p>15 18th?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall whether you went to</p> <p>18 see Commander O'Grady the same day you went</p> <p>19 to and received this signature from the</p> <p>20 lieutenant?</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you recall whether you went to</p> <p>23 see Shannon to give her back the request the</p> <p>24 same day that you spoke with Commander</p>	<p style="text-align: center;">Page 72</p> <p>1 Q. And how many times did he refuse</p> <p>2 to sign the requests?</p> <p>3 MR. KING: I still object to the</p> <p>4 lack of foundation.</p> <p>5 MR. TAREN: I am just talking</p> <p>6 about the ones that he presented.</p> <p>7 MR. KING: I understand. But are</p> <p>8 you talking about ones that he presented for</p> <p>9 people that were detailed to other</p> <p>10 departments?</p> <p>11 MR. TAREN: No, no. In general.</p> <p>12 MR. KING: Let's talk apples and</p> <p>13 apples.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. I was just going to say, of the</p> <p>16 dozen cooperating individual requests that</p> <p>17 you presented to Commander O'Grady, how many</p> <p>18 did he refuse to sign?</p> <p>19 MR. KING: And I'd object to the</p> <p>20 use of "refuse to sign."</p> <p>21 BY MR. TAREN:</p> <p>22 Q. Let's say, how many he did not</p> <p>23 sign?</p> <p>24 A. I don't recall.</p>

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<p style="text-align: center;">Page 73</p> <p>1 Q. Any other than this one that you 2 can point to? 3 A. I can't think of any off the top 4 of my head. However, things that are 5 incomplete or incorrect are often sent back 6 to me to have them complete or corrected 7 prior to his approval.</p> <p>8 Q. Is there a record kept of approved 9 cooperating individual requests with your 10 signature on them?</p> <p>11 A. I believe there are.</p> <p>12 Q. Where would that be kept?</p> <p>13 A. I believe at headquarters.</p> <p>14 Q. All right. So if we looked at all 15 of the cooperating individual requests that 16 you signed during a particular period of 17 time, we are either going to see a 18 commander's signature or not; is that 19 correct?</p> <p>20 A. No.</p> <p>21 Q. No. Why not?</p> <p>22 A. Because I don't know if they keep 23 ones that aren't approved.</p> <p>24 Q. What happens to them?</p>	<p style="text-align: center;">Page 75</p> <p>1 Q. Other than the one conversation 2 you just testified to between you and 3 Commander O'Grady concerning this 4 cooperating individual request, have you 5 ever had any other conversations with 6 Commander O'Grady involving Spalding and 7 Echeverria's request for approval of David 8 Holmes as a cooperating individual?</p> <p>9 A. Not that I recall.</p> <p>10 Q. Did you ever have any other 11 conversations with James O'Grady that had 12 anything to do with Shannon Spalding?</p> <p>13 A. I don't recall specific 14 conversations with him regarding Shannon 15 Spalding.</p> <p>16 Q. Did you ever have any 17 conversations with James O'Grady about Danny 18 Echeverria?</p> <p>19 A. Not that I recall.</p> <p>20 Q. Did Commander O'Grady ever tell 21 you not to work with Spalding and 22 Echeverria?</p> <p>23 A. No.</p> <p>24 Q. Or either of them?</p>
<p style="text-align: center;">Page 74</p> <p>1 A. I would assume they are returned 2 to the officer for corrections.</p> <p>3 Q. So how long was this encounter 4 that you had with Shannon in which you 5 returned the cooperating individual request 6 to her? Are we talking about a minute, 7 two minutes? Ten minutes? An hour?</p> <p>8 A. I don't recall meeting at the 7th 9 district, so I don't know the length of our 10 meeting.</p> <p>11 Q. Well, would this -- regardless of 12 where it took place, do you recall whether 13 this was a brief encounter or anything more 14 extended?</p> <p>15 A. I don't recall.</p> <p>16 Q. After you returned the cooperating 17 individual request to Shannon Spalding, was 18 it ever re-presented to you?</p> <p>19 A. Not that I recall.</p> <p>20 Q. Did you ever speak with anyone 21 else about David Holmes -- another 22 sergeant -- about approving a cooperating 23 individual request regarding David Holmes?</p> <p>24 A. Not that I recall.</p>	<p style="text-align: center;">Page 76</p> <p>1 A. No.</p> <p>2 Q. Did you ever tell Shannon Spalding 3 or Danny Echeverria that O'Grady had told 4 you that you were not to work with them?</p> <p>5 A. No.</p> <p>6 Q. Did Commander O'Grady ever speak 7 to you about not backing up or assisting 8 Shannon or Danny?</p> <p>9 A. No.</p> <p>10 Q. Did he ever say anything to you 11 about what would happen to Shannon or Danny 12 if there was a 10-1?</p> <p>13 A. No.</p> <p>14 Q. Did you ever hear Commander 15 O'Grady refer to either Danny or Shannon as 16 an IAD rat?</p> <p>17 A. No.</p> <p>18 Q. Did you ever hear anyone say that?</p> <p>19 A. No.</p> <p>20 Q. Did you ever hear anyone refer to 21 them -- now I am taking the word IAD out -- 22 as a rat?</p> <p>23 A. No.</p> <p>24 Q. Did you ever hear anyone speculate</p>

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<p>1 or state that they believed that Danny or 2 Shannon were working with IAD? 3 A. I don't recall ever hearing that. 4 Q. Anything like it? I am asking you 5 because you are hesitating on this one. 6 A. I am trying to think with the 7 media coverage surrounding the case if there 8 was mention that they were working with IAD. 9 And I can't recall if there was mention of 10 that in the news reports after the two -- 11 the sergeant and the PO from the 2nd 12 district were arrested. 13 Q. Who did you tell that Shannon said 14 they were working investigating dirty cops? 15 A. I don't recall who I told. 16 Q. Did you ever hear another officer 17 say they didn't want to work with either 18 Danny or Shannon? 19 A. I can't think of anyone that I 20 have heard say that. 21 Q. To your knowledge, there was no 22 problem with the quality of their work while 23 they were at Narcotics, was there? 24 A. Not to my knowledge.</p>	<p>1 activity? 2 A. No. 3 Q. Have you ever heard the word -- 4 the phrase "Brass Tax" in connection with 5 any kind of investigation before it was 6 released to the public? 7 A. No. 8 Q. Did you know either Officer Watts 9 or Mohammed? 10 A. No. 11 Q. At any point did you learn that 12 Danny or Shannon were working and reporting 13 to Juan Rivera? 14 A. No. 15 Q. Do you know who Juan Rivera is? 16 A. Yes. 17 Q. Were you aware of what his 18 position was with IAD? 19 A. I believe he's the chief of IAD. 20 MR. TAREN: Could we take a break? 21 MR. KING: Sure. 22 (Whereupon, a break was taken 23 from 3:13 p.m. to 3:26 p.m.) 24</p>
<p>1 Q. Prior to any of the publicity 2 surrounding the filing of this lawsuit, did 3 you ever hear anyone express any animosity 4 towards Danny or Shannon? 5 A. No. 6 Q. Are you saying that until you 7 heard something in the publicity associated 8 with the lawsuit, you were unaware that 9 Danny or Shannon were working with IAD? 10 A. That's correct. 11 Q. And is it your testimony that 12 before reading anything in the newspaper, 13 you were unaware that they were working in 14 conjunction with the FBI? 15 A. That's correct. 16 Q. So when did you first learn that 17 they were involved in any way in the 18 investigation of Officers Mohammed and 19 Watts? 20 A. When the media reports broke 21 around the arrest of Mohammed and Watts. 22 Q. Did you hear from any source prior 23 to that time that Mohammed and Watts were 24 being investigated for possible criminal</p>	<p>1 (Whereupon, the record was 2 read as requested.) 3 BY MR. TAREN: 4 Q. I am going to bounce back a little 5 bit. 6 In your conversation with 7 James O'Grady that you were testifying 8 about, did he tell you who specifically 9 Shannon should present the cooperating 10 individual request to? 11 A. Not specifically. She -- he told 12 me to have her present it to her supervisor. 13 I don't know who the supervisor was. 14 Q. Did he clarify to you that he was 15 referring to her supervisor in Detached 16 Services? 17 A. He didn't clarify. 18 Q. Well, what individuals are 19 authorized to approve cooperating individual 20 requests at that time? 21 MR. KING: Object to the lack of 22 foundation. 23 BY MR. TAREN: 24 Q. Do you know?</p>

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<p>1 A. I am not certain, no.</p> <p>2 Q. Didn't it have to be a sergeant in</p> <p>3 Narcotics?</p> <p>4 A. That I am not aware of.</p> <p>5 Q. Do you see what I am getting at?</p> <p>6 I am trying to find out whether in returning</p> <p>7 -- strike that.</p> <p>8 In returning Exhibit 1 to</p> <p>9 Shannon, did you tell her who she should</p> <p>10 present it to?</p> <p>11 A. Her supervisor.</p> <p>12 Q. Her supervisor in Detached</p> <p>13 Services, is that what you were referring</p> <p>14 to? Or someone else in Narcotics?</p> <p>15 A. She didn't, to my knowledge, have</p> <p>16 a supervisor in Narcotics because she wasn't</p> <p>17 working in Narcotics.</p> <p>18 Q. But this request for cooperating</p> <p>19 individual was for an operation in which she</p> <p>20 was assisting Narcotics, isn't that true?</p> <p>21 A. I don't recall the circumstances</p> <p>22 how this cooperating individual was going to</p> <p>23 be used.</p> <p>24 Q. Well, didn't you say earlier that</p>	<p>1 BY MR. TAREN:</p> <p>2 Q. Did you have any idea who their</p> <p>3 supervisors were at that time in August</p> <p>4 of 2010?</p> <p>5 A. No.</p> <p>6 Q. As far as you were concerned, was</p> <p>7 this going to be -- returning the</p> <p>8 cooperating individual request the end of</p> <p>9 that request because there was really nobody</p> <p>10 to authorize it?</p> <p>11 MR. KING: Object to the form. It</p> <p>12 misstates the testimony, but you can answer.</p> <p>13 THE WITNESS: I was never aware</p> <p>14 that there would be no one to approve it in</p> <p>15 Detached Services.</p> <p>16 BY MR. TAREN:</p> <p>17 Q. Are you familiar with the general</p> <p>18 order that only unit 189 can approve CI</p> <p>19 packs?</p> <p>20 A. I am not certain if that means the</p> <p>21 final approval or every aspect of it. I am</p> <p>22 not certain. I believe that the commander</p> <p>23 of Narcotics has to approve it.</p> <p>24 Q. Have you ever seen a CI pack that</p>
<p style="text-align: center;">Page 82</p> <p>1 you had worked with Danny and Shannon on</p> <p>2 some other matters while they were at</p> <p>3 Detached Services?</p> <p>4 A. Yes.</p> <p>5 Q. What kind of matters were they?</p> <p>6 A. I recall specifically one search</p> <p>7 warrant that we conducted together.</p> <p>8 Q. And this was on Narcotics leads</p> <p>9 that they had helped you develop; is that</p> <p>10 correct?</p> <p>11 A. I believe they developed the</p> <p>12 leads, and we assisted them with the search</p> <p>13 warrant.</p> <p>14 Q. So were you aware that the request</p> <p>15 for authorization of the cooperating</p> <p>16 individual request was something that would</p> <p>17 customarily go through Narcotics and not</p> <p>18 Detached Services?</p> <p>19 MR. KING: Again, I'd object to</p> <p>20 the lack of foundation.</p> <p>21 THE WITNESS: I have never worked</p> <p>22 in Detached Services, so I don't know if</p> <p>23 their supervisors would approve something</p> <p>24 like this.</p>	<p>1 was signed by an officer outside of 189?</p> <p>2 A. Not that I can recall.</p> <p>3 Can I clarify?</p> <p>4 Q. Sure, please.</p> <p>5 A. When you say signed by an officer</p> <p>6 outside of 189 or approved by a supervisor?</p> <p>7 Q. Approved by a supervisor.</p> <p>8 A. I have not seen that's been</p> <p>9 approved by a supervisor outside of 189.</p> <p>10 Q. So did it strike you as unusual</p> <p>11 that Commander O'Grady wanted her to present</p> <p>12 this for approval to someone outside of 189?</p> <p>13 MR. KING: Object to the form of</p> <p>14 the question, which again I think misstates</p> <p>15 the testimony, but you can answer.</p> <p>16 THE WITNESS: With the reason he</p> <p>17 gave me, I was not surprised that it was</p> <p>18 being returned back for her supervisor to</p> <p>19 review.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. Why?</p> <p>22 A. As a supervisor myself, I think</p> <p>23 it's important that supervisors are aware of</p> <p>24 what their subordinates are doing and</p>

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<p style="text-align: center;">Page 85</p> <p>1 working on. In this case, I wasn't certain, 2 and I believe Commander O'Grady wasn't 3 certain if her supervisor was aware of what 4 she was doing.</p> <p>5 Q. Well, you didn't have any problem 6 signing Exhibit 1, did you?</p> <p>7 A. Correct.</p> <p>8 Q. So, obviously, at that time, you 9 knew what the purpose was, and what was 10 being worked on, isn't that true?</p> <p>11 A. I didn't know what the purpose 12 was. I assumed he would be working with 13 Officer Spalding in the future with more 14 intelligence to follow up on, but I didn't 15 know of any specific project that was being 16 worked on or case that was being worked on 17 with this individual.</p> <p>18 Q. And did the lieutenant that you 19 presented Exhibit 1 to raise any issues 20 about whether you should be signing this as 21 opposed to some other supervisor?</p> <p>22 A. That I don't recall. I don't even 23 recall if I met personally with the 24 lieutenant or if I put it in his in-box.</p>	<p style="text-align: center;">Page 87</p> <p>1 Q. So why was it necessary if Officer 2 Hernandez was also making this request and 3 his supervisor was aware and had approved 4 the request that there be -- that this be 5 rejected because Shannon Spalding's 6 supervisor hadn't signed off on it?</p> <p>7 MR. KING: Object to the lack of 8 foundation.</p> <p>9 If you know, you can answer.</p> <p>10 THE WITNESS: I don't know any 11 specifics. I could only speculate as to why 12 her supervisor should know about this.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. By the way, do you recall that you 15 returned this to Shannon at around midnight 16 at the same day that you presented it to 17 Commander O'Grady?</p> <p>18 A. That I don't recall.</p> <p>19 Q. That's possible?</p> <p>20 A. It's possible.</p> <p>21 Q. Do you recall seeing a cooperating 22 individual request that had a yellow sticky 23 Post-it note on it telling you to go see 24 Commander O'Grady?</p>
<p style="text-align: center;">Page 86</p> <p>1 Q. Did you ever ask Shannon whether 2 the supervisor she was working with was 3 aware of this request?</p> <p>4 A. Not that I recall.</p> <p>5 Q. When this was presented to you, 6 did it have Officer Hernandez's name on it?</p> <p>7 A. That I don't recall.</p> <p>8 Q. And you see at the bottom 9 left-hand part of Exhibit 1, is that Officer 10 Hernandez's signature?</p> <p>11 A. I believe so, yes.</p> <p>12 Q. So was it your understanding that 13 Officer Hernandez was working with Officers 14 Spalding and Echeverria on the matter that 15 required this request to be presented?</p> <p>16 A. Yes.</p> <p>17 Q. Were you Officer Hernandez's 18 supervisor?</p> <p>19 A. Yes.</p> <p>20 Q. Is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Did you talk about that to 23 Commander O'Grady?</p> <p>24 A. Not that I recall.</p>	<p style="text-align: center;">Page 88</p> <p>1 MR. KING: Just object to the form 2 and lack of foundation and assuming facts 3 not in evidence.</p> <p>4 THE WITNESS: I don't recall.</p> <p>5 BY MR. TAREN:</p> <p>6 Q. Did you ever tell Shannon or Danny 7 or Anthony Hernandez that O'Grady had told 8 you that he'd sign the CI pack for Holmes if 9 you'd scratch those two rat's names off the 10 packet?</p> <p>11 A. No.</p> <p>12 Q. You are smirking. Is there a 13 reason for that?</p> <p>14 A. I had previously testified that I 15 never heard Shannon be referred to as a rat 16 or an IAD rat.</p> <p>17 Q. Are you aware that there are three 18 individuals that are going to testify that, 19 in fact, that is what he said?</p> <p>20 A. I am not aware of what they are 21 going to testify to.</p> <p>22 Q. Do you know whether Shannon and 23 Danny had been authorized to wear a wire 24 pursuant to their investigation with</p>

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<p style="text-align: right;">Page 89</p> <p>1 Detached Services? 2 A. I don't know. 3 Q. Do you know whether any of the 4 conversations that you had with Shannon or 5 Danny had been recorded? 6 A. I don't know. 7 Q. Did you ever tell Danny that 8 O'Grady had said to you that their paths 9 were not to cross again, meaning the paths 10 of Danny and Shannon and the Narcotics 11 squad? 12 A. No. 13 Q. Did you tell Danny that James 14 O'Grady had said to you, "God help them if 15 they need some help, it ain't coming. You 16 are not to help them out"? 17 A. No. 18 Q. Did you tell Danny or Shannon 19 anything about O'Grady being upset with them 20 for any reason? 21 A. No. 22 Q. Your recollection of this 23 conversation was it was just a routine 24 returning deficient CI pack; is that</p>	<p style="text-align: right;">Page 91</p> <p>1 that correct? 2 A. Yes. 3 Q. So in this meeting that we are 4 referring to where you are not exactly sure 5 where it took place, you were carrying out 6 Commander O'Grady's orders; is that correct? 7 A. Yes. 8 Q. To your knowledge, did you -- you, 9 being Narcotics, ever use this informant, 10 David Holmes, to make confirmation buys for 11 search warrant? 12 A. I don't recall personally using 13 him. That's not to say that someone on my 14 team may have used him, or Shannon or Danny 15 may have used him. 16 Q. Do you recall ever seeing any 17 reports, any buy reports, reflecting that 18 David Holmes was making a buy? 19 A. I don't. But I don't believe his 20 name would ever be used on a buy report. 21 Q. Do you recall ever seeing a report 22 that stated that an undercover officer made 23 a buy when, in fact, it was the cooperating 24 individual that did?</p>
<p style="text-align: right;">Page 90</p> <p>1 correct? 2 A. Yes. 3 Q. And your recollection is that 4 neither Danny or Shannon reacted in any 5 unusual or upset way during that 6 conversation? 7 A. I don't recall any adverse 8 reaction. 9 Q. There must have been some 10 reaction, was there? Do you recall any 11 reaction at all? 12 A. I don't. 13 Q. Do you recall telling Shannon that 14 you had your orders and -- from O'Grady, and 15 you can't mess up your job, or something to 16 the effect, you are just doing your job? 17 A. No. 18 Q. By the way, Commander O'Grady had 19 directed you to return this to Shannon; is 20 that correct? 21 A. Yes. 22 Q. And I understand -- do I 23 understand correctly that he instructed you 24 to tell them why he was not signing it; is</p>	<p style="text-align: right;">Page 92</p> <p>1 A. No. 2 Q. Now in August of 2010, you were on 3 good terms with Anthony Hernandez; is that 4 correct? 5 A. Yes. 6 Q. And were you social friends with 7 Mr. Hernandez at that time? 8 A. I have never been to his house. 9 We have never really gone out together 10 outside of work, other than possibly 11 promotional parties or police-related 12 events. 13 Q. Okay. 14 A. He has been to my house. We were 15 friendly. 16 Q. And in August of 2010, you had no 17 bad dealings or animosity towards either 18 Shannon or Danny, isn't that true? 19 A. That's true. 20 Q. Did you ever hear from any source 21 that Shannon Spalding was not to be allowed 22 to be present at Homan Square? 23 A. I don't recall hearing from anyone 24 that she wasn't allowed to be at Homan</p>

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1 Square, no.	1 Q. And that's the complaint that
2 Q. Did you hear from anyone that she	2 alleges that you held back time slips that
3 wasn't to be either at the guard shack or to	3 were submitted by Mr. Hernandez; is that
4 -- or anywhere near Homan?	4 correct?
5 A. No, I was not given any direction	5 A. Yes.
6 or instructions to make sure she was not at	6 Q. And that's the case that you were
7 Homan Square.	7 deposed on in February of this year?
8 Q. That would be a pretty unusual	8 A. Yes.
9 direction, wouldn't it?	9 Q. You said there was an ongoing CR
10 A. Yes.	10 with regard to the Hernandez allegations.
11 Q. Do you know who Tom Chester is?	11 Do you know whether there is a criminal
12 A. Yes.	12 investigation with regard to the Hernandez
13 Q. How do you know Mr. Chester?	13 allegations?
14 A. I was introduced to him one day	14 A. I'm aware that it was reviewed by
15 when he was at Homan Square as a supervisor	15 the State's Attorney's Office.
16 in Internal Affairs.	16 Q. Okay.
17 Q. Do you recall when that was?	17 A. And I was informed by my attorney
18 A. I don't recall if it was 2011 or	18 that there would be no charges criminally.
19 2012.	19 Q. Did you get anything from the
20 Q. At any point, did you learn that	20 State's Attorney, any letters?
21 Shannon and Danny were reporting to Tom	21 A. I did not.
22 Chester?	22 Q. I'd like to ask you some questions
23 A. No.	23 about your involvement with the arrest of
24 Q. And do you recall what the	24 Joseph Sperling in June of 2013.
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1 circumstances were of why Tom Chester was at	1 MR. KING: And I am going to
2 Homan Square when you encountered him?	2 object to the relevance of those questions,
3 A. He and Sergeant Mike Barz were	3 but you may ask.
4 requesting an interview with me.	4 BY MR. TAREN:
5 Q. Okay. And what was that	5 Q. All right. Did you participate in
6 regarding?	6 a surveillance of Joseph Sperling in and
7 A. Regarding allegations that Anthony	7 around June of 2013?
8 Hernandez made against me.	8 A. In regards to this case, I'm aware
9 Q. Was this before or after Hernandez	9 that there -- this case is being reviewed by
10 filed his lawsuit against you?	10 the State's Attorney's Office. So I am not
11 A. I believe it was after.	11 at liberty to discuss this case because
12 Q. And did you give an interview to	12 there could potentially be criminal charges.
13 them at that time?	13 Q. Are you going to assert your right
14 A. No.	14 not to testify -- not to incriminate
15 Q. Have you ever given them an	15 yourself under the Fifth Amendment and
16 interview with regard to those allegations?	16 refuse to answer questions?
17 A. No.	17 A. Yes, I am.
18 Q. Is there an outstanding CR with	18 Q. Now I am going to have to tell
19 regard to the Hernandez allegations and you?	19 you, since I have been through this before,
20 A. Yes.	20 that in order to make a record, I am
21 Q. Do you know what the status of	21 required to ask you the questions, and you
22 that is?	22 are going to have to assert your Fifth
23 A. I don't know what the status of it	23 Amendment right as to any question that you
24 is.	24 believe may tend to incriminate you. And

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<p style="text-align: center;">Page 97</p> <p>1 those that do not, you are supposed to be 2 answering the question but I can't just take 3 the blanket "I won't testify." 4 So I did this for three hours 5 once. It was not a pleasant deposition. 6 This won't take three hours. 7 Can you tell me who 8 participated in the surveillance of Joseph 9 Sperling?</p> <p>10 MR. KING: And I want to show a 11 continuing line of objection as to the 12 relevance of the Sperling matter to this 13 lawsuit, in addition to the rights that the 14 witness is asserting.</p> <p>15 BY MR. TAREN:</p> <p>16 Q. If you want to just say, you know, 17 I will take the Fifth or assert my rights, 18 so we can short-circuit it, that's fine with 19 me, too. Anyway you want to say it.</p> <p>20 A. I will assert my rights.</p> <p>21 Q. In conjunction with the arrest of 22 Joseph Sperling, were you acting as a member 23 of the Chicago Police Department Narcotics 24 squad?</p>	<p style="text-align: center;">Page 99</p> <p>1 Q. Are you listed as an arresting 2 officer with regard to the June 6th arrest 3 of Joseph Sperling?</p> <p>4 A. I don't recall.</p> <p>5 Q. Were you present at the traffic 6 stop of Sperling's car that day?</p> <p>7 A. I will assert my rights.</p> <p>8 Q. Was Mr. Sperling pulled over 9 because he failed to use his turn signal?</p> <p>10 A. I will assert my rights.</p> <p>11 Q. Did he, in fact, fail to use his 12 turn signal?</p> <p>13 A. I will assert my rights.</p> <p>14 Q. Did you testify in the suppression 15 hearing held on March 31, 2014, before Cook 16 County Circuit Court Judge Catherine 17 Haberkorn in the case captioned, "State 18 versus Sperling"?</p> <p>19 A. Yes.</p> <p>20 Q. Did you testify falsely under oath 21 in that suppression hearing?</p> <p>22 A. I will assert my rights.</p> <p>23 Q. Prior to the suppression hearing, 24 did you participate in the conversation with</p>
<p style="text-align: center;">Page 98</p> <p>1 A. Yes.</p> <p>2 Q. And did Officers Vince Morgan and 3 William Pruente participate in the 4 surveillance with you?</p> <p>5 A. I will assert my rights.</p> <p>6 Q. Prior to pulling Mr. Sperling 7 over, did you participate in any 8 conversations with other officers where you 9 planned how to pull Mr. Sperling over in his 10 car?</p> <p>11 A. I will assert my rights.</p> <p>12 Q. Were you accompanied by two 13 Village of Glenview police officers that 14 day?</p> <p>15 A. Yes.</p> <p>16 Q. And were those officers Horn and 17 Urbanowski?</p> <p>18 A. Yes.</p> <p>19 Q. Had you worked with them before?</p> <p>20 A. I had met Sergeant Urbanowski on 21 one occasion when the Postal team and 22 Narcotics was doing a controlled delivery, 23 and she was present for the debriefing at 24 the Glenview police station.</p>	<p style="text-align: center;">Page 100</p> <p>1 Officers Morgan, Pruente, Horn or Urbanowski 2 where you agreed upon a false story to 3 testify to under oath regarding the 4 stop-and-frisk of Joseph Sperling?</p> <p>5 A. I will assert my rights.</p> <p>6 Q. Did you falsely testify under oath 7 in that hearing that the officers had 8 initially asked Sperling for his driver's 9 license and registration?</p> <p>10 A. I will assert my rights.</p> <p>11 Q. Did you falsely testify under oath 12 that you or one of your fellow officers 13 asked Sperling if he had any illegal 14 narcotics on him?</p> <p>15 A. I will assert my rights.</p> <p>16 Q. Did you falsely testify under oath 17 that Sperling admitted that he had illegal 18 narcotics on him?</p> <p>19 A. I will assert my rights.</p> <p>20 Q. Did you falsely testify under oath 21 that Sperling was walked to the rear of his 22 car with Glenview Police Officer Horn, while 23 Officer Pruente searched Sperling's car?</p> <p>24 A. I will assert my rights.</p>

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<p>1 Q. Did you falsely testify under oath 2 that drugs were found in plain view in 3 Sperling's vehicle? 4 A. I will assert my rights. 5 Q. Did you falsely testify under oath 6 that Sperling was not arrested until after 7 marijuana was found in the vehicle, and he 8 admitted to possessing it? 9 A. I will assert my rights. 10 Q. Were you aware at the time of your 11 court testimony at the time of the 12 suppression hearing that your encounter with 13 Joseph Sperling on June 6, 2013, had been 14 videotaped by Officer Urbanowski's squad 15 car? 16 A. I will assert my rights. 17 Q. Did you conspire with the other 18 officers mentioned above to testify falsely 19 under oath in that suppression hearing? 20 A. I will assert my rights. 21 Q. Did Judge Haberkorn announce in 22 court on March 31, 2014, that "All officers 23 lied on the stand today. All their 24 testimony was a lie. So there is strong</p>	<p>1 email? 2 A. No. 3 Q. Have you ever posted any anonymous 4 comments on any police-related blogs that 5 have anything to do with Shannon Spalding or 6 Danny Echeverria or Anthony Hernandez? 7 A. No. 8 Q. Have you ever given any oral 9 interviews about your involvement in the 10 Sperling case? 11 A. No. 12 Q. Have you talked to your father 13 about your involvement in this Sperling 14 case? 15 A. Yes. 16 Q. On how many occasions? 17 A. I am not certain how many 18 conversations I have had with him. 19 Q. And were those conversations in 20 the presence of counsel or not? 21 A. No. 22 Q. What have you talked to your 23 father about with regard to the Sperling 24 case?</p>
<p style="text-align: center;">Page 102</p> <p>1 evidence it was a conspiracy to lie in this 2 case for everyone to come up with the same 3 lie. Many, many, many times they all lied?" 4 A. I'll assert my rights. 5 Q. Have you been notified by the 6 State's Attorney that you are a target of a 7 criminal investigation with regard to your 8 testimony that was given in the Joseph 9 Sperling matter? 10 A. No. 11 Q. Have you been called before a 12 Grand Jury? 13 A. No. 14 Q. Is your assignment to the 311 15 center a result of any investigation into 16 your testimony at the March -- at the 17 March 31, 2014, suppression hearing? 18 A. Yes. 19 Q. Have you written about your 20 involvement in the Sperling case anywhere in 21 your blogs or emails? 22 A. No. 23 Q. Have you written about anything to 24 do with Shannon Spalding on any blog or</p>	<p style="text-align: center;">Page 104</p> <p>1 MR. KING: Again, object to the 2 relevance. 3 THE WITNESS: I have -- I spoke to 4 him about how I have been reassigned while 5 they investigate -- the department 6 investigates allegations made against me. 7 I have spoken to him about the 8 media coverage, and about the video that was 9 shown on the news. 10 BY MR. TAREN: 11 Q. What did you tell him about the 12 video that was shown on the news? 13 A. I asked him if he could get a copy 14 for me, seeing as at that point, I had never 15 seen the video. I was not present in court 16 when any video was played, and I was not 17 recalled into court to view any video. 18 Q. Did he get you a copy? 19 A. I believe he emailed a copy of the 20 video that was on the news. 21 Q. Did you communicate with him by 22 email or texts with regard to the Sperling 23 matter? 24 A. I don't recall other --</p>

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<p style="text-align: right;">Page 105</p> <p>1 specifically other than receiving an email 2 from him with the attached video.</p> <p>3 Q. Have you talked to him about the 4 substance of the allegations made against 5 you with regard to the Sperling testimony?</p> <p>6 A. I have not received any 7 allegations. So it's difficult to answer 8 the question because I still haven't 9 received any allegations as to what the City 10 is alleging I did wrong.</p> <p>11 Q. Have you talked to your father 12 with regard to any of the allegations in the 13 Spalding case?</p> <p>14 A. Again, I have not received any 15 allegations of the Spalding case -- oh, I'm 16 sorry, in the Spalding case?</p> <p>17 Q. Spalding case, right.</p> <p>18 You were initially named as a 19 Defendant in the Spalding case, correct?</p> <p>20 A. Yes, yes.</p> <p>21 Q. It was before my time.</p> <p>22 A. Yes.</p> <p>23 Q. And did you communicate with your 24 father about those allegations?</p>	<p style="text-align: right;">Page 107</p> <p>1 allegations that are in the Spalding case?</p> <p>2 A. I don't recall specifically what 3 we spoke about. I am -- I believe we spoke 4 about the complaint, but I don't recall the 5 specifics of the conversation.</p> <p>6 Q. You are aware that the gravamen of 7 Danny and Shannon's claims are that they 8 were retaliated against because they 9 cooperated in investigation of dirty cops; 10 Watts and Mohammad?</p> <p>11 A. Yes.</p> <p>12 Q. Have you ever had any discussions 13 with anyone about the truth or falsity of 14 those allegations other than counsel, other 15 than counsel?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. With regard to the Sperling 18 matter, there was a civil action that was 19 filed as well, isn't that correct?</p> <p>20 A. Yes.</p> <p>21 Q. And you were named as a Defendant?</p> <p>22 A. I believe so, yes.</p> <p>23 Q. And that case was settled rather 24 quickly, was it not?</p>
<p style="text-align: right;">Page 106</p> <p>1 A. I believe I did, yes.</p> <p>2 Q. And did you communicate in 3 writing, by text or e-mail?</p> <p>4 A. I don't recall exactly how I 5 communicated. I do recall speaking to him 6 on the phone when I found out about it.</p> <p>7 Q. Did you tell him what the specific 8 allegations with regard to you were?</p> <p>9 A. I believe -- I remember when I 10 found out about the lawsuit, I was at work, 11 and I believe I called him to see if he 12 could find the complaint because I had not 13 been served with any complaint, and I wasn't 14 certain what allegations were made against 15 me.</p> <p>16 Q. And did he do that for you?</p> <p>17 A. I don't recall if he found 18 anything else at the time because I don't 19 think I could find anything at the time. I 20 think it was too new, and it wasn't entered 21 in, or it wasn't in public record or on the 22 Internet yet.</p> <p>23 Q. Have you ever communicated with 24 your father about the substance of the</p>	<p style="text-align: right;">Page 108</p> <p>1 A. It was settled.</p> <p>2 Q. Did you sign a settlement 3 agreement in that case?</p> <p>4 A. I did not sign anything.</p> <p>5 Q. Did you pay any money with regard 6 to the settlement of the Sperling case? You 7 personally?</p> <p>8 MR. KING: Again, I object to the 9 relevance of anything related to Sperling.</p> <p>10 You can answer, unless it's a 11 confidential settlement to your knowledge.</p> <p>12 THE WITNESS: No.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. No. No what?</p> <p>15 A. I am sorry. No to your question.</p> <p>16 I have not paid anything.</p> <p>17 Q. You have not paid any money for 18 that?</p> <p>19 A. I have not personally paid any</p> <p>20 money.</p> <p>21 Q. Have you received a release of 22 claims personally from Joseph Sperling with 23 regard to any of the allegations made in the 24 civil action against you?</p>

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<p>1 A. No.</p> <p>2 Q. Have you signed anything presented 3 to you by the City of Chicago with respect 4 to the civil action filed by Mr. Sperling?</p> <p>5 A. No, not that I can recall.</p> <p>6 Q. Have you ever given false 7 testimony under oath in connection with your 8 employment with the Chicago Police 9 Department?</p> <p>10 A. I am going to assert my rights.</p> <p>11 Q. Are you aware of any other police 12 officers associated in the Narcotics 13 Division who have given false testimony 14 under oath in connection with their 15 employment?</p> <p>16 A. I am going to assert my rights.</p> <p>17 Q. Who else have you discussed 18 anything to do with the allegations in the 19 Spalding matter other than counsel and 20 discussions with your father?</p> <p>21 A. My wife.</p> <p>22 Q. Anyone else?</p> <p>23 A. I don't recall specifically.</p> <p>24 Q. Have you ever talked to James</p>	<p>1 in IAD regarding these allegations.</p> <p>2 Q. To your knowledge, is there an 3 outstanding CR number with regard to any of 4 the allegations made as a result of a civil 5 action in Spalding versus City?</p> <p>6 A. Not that I'm aware of.</p> <p>7 Q. Have you been testifying 8 truthfully today?</p> <p>9 A. Yes.</p> <p>10 Q. Do you know of any reason why 11 Shannon Spalding would lie about what she 12 claims you told her James O'Grady said about 13 her?</p> <p>14 A. It's my belief that she is lying 15 because she is upset that her boyfriend and 16 I got into a business arrangement that ended 17 poorly.</p> <p>18 Q. And when did that business 19 arrangement end?</p> <p>20 A. I believe it was the end of 2011.</p> <p>21 Q. And do you believe that her 22 allegations, therefore, that are contained 23 in this lawsuit are all as a result of you?</p> <p>24 A. I'm sorry, can you read that back,</p>
<p style="text-align: center;">Page 110</p> <p>1 O'Grady about any of the allegations that 2 were made against him in the Spalding 3 matter?</p> <p>4 A. No. I am not really aware what 5 the allegations are against him.</p> <p>6 Q. Have you ever spoken with Nicholas 7 Roti with regard to any of the allegations 8 made by Shannon or Danny?</p> <p>9 A. No.</p> <p>10 Q. How about with Deborah Pascua?</p> <p>11 A. No.</p> <p>12 Q. Maurice Barnes?</p> <p>13 A. No.</p> <p>14 Q. Robert Cesario?</p> <p>15 A. No.</p> <p>16 Q. Joseph Salemme?</p> <p>17 A. No.</p> <p>18 Q. Thomas Mills?</p> <p>19 A. No.</p> <p>20 Q. Have you ever spoken with anyone 21 at IAD with regard to the allegations that 22 were made by Shannon Spalding and Danny 23 Echeverria?</p> <p>24 A. I don't recall speaking to anyone</p>	<p style="text-align: center;">Page 112</p> <p>1 please.</p> <p>2 (Whereupon, the record was 3 read as requested.)</p> <p>4 THE WITNESS: Maybe I am not 5 understanding the question. I don't know if 6 she filed the lawsuit -- I don't believe she 7 filed this lawsuit all because of me. Is 8 that the question?</p> <p>9 BY MR. TAREN:</p> <p>10 Q. Yes.</p> <p>11 A. Okay. No, I don't believe that.</p> <p>12 Q. And are you aware of any motive 13 that she has to lie about James O'Grady?</p> <p>14 A. I can only give you my own 15 beliefs.</p> <p>16 Q. Sure.</p> <p>17 A. I believe it's monetary gain.</p> <p>18 Q. What do you base that on?</p> <p>19 A. I don't know exactly what else she 20 would get out of this other than money.</p> <p>21 Q. In the course of your employment 22 with the Chicago Police Department, were you 23 aware of other officers who investigated 24 dirty cops?</p>

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<p>1 A. It's a difficult question to 2 answer. I know of people who have come from 3 Internal Affairs, and they investigate 4 allegations against police officers. I 5 know -- I believe Commander O'Grady came 6 from Internal Affairs. My assumption would 7 be that he investigated officers that 8 allegations were made about. 9 I know another sergeant that 10 O'Grady brought to the unit, Rick Herrera, 11 came from Internal Affairs. I would assume 12 that he investigated allegations against 13 police officers. But again, I am not 14 certain what their role was in Internal 15 Affairs.</p> <p>16 Q. Have you observed how officers who 17 criminally investigate other police officers 18 are treated on the job?</p> <p>19 MR. KING: I'd just object to the 20 lack of foundation. I am not sure he's 21 testified that he's aware of any, yet you 22 can answer.</p> <p>23 THE WITNESS: I'm aware of the 24 Internal Affairs sergeant who played a part</p>	<p>1 silent. 2 Q. When did you first hear about that 3 concept? 4 A. I don't -- I don't recall if it 5 was on TV or in the movies or when. 6 Q. Is it your belief that there is 7 such a code of silence within the Chicago 8 Police Department? 9 A. I don't believe so. 10 Q. You are aware that allegations of 11 such a code have been made in the past, 12 isn't that true? 13 A. Yes. 14 Q. Are you aware of the reluctance of 15 police officers to inform on other police 16 officers that they observe doing acts that 17 might be considered criminal? 18 MR. KING: Object to the lack of 19 foundation. 20 You can answer. 21 THE WITNESS: I don't have any 22 specific knowledge on that. 23 BY MR. TAREN: 24 Q. By the way, the IAD officer that</p>
<p>1 in my investigation, and I am still able to 2 freely speak to him and have a fine 3 relationship with him. 4 BY MR. TAREN:</p> <p>5 Q. Have you written in your blog or 6 in your book about anything relating to the 7 code of silence within the Chicago Police 8 Department? 9 MR. KING: I'd just object to the 10 form of the question and lack of foundation. 11 If you understand the 12 question, you can answer. 13 THE WITNESS: I don't recall 14 making any writings regarding a code of 15 silence within the police department. 16 BY MR. TAREN: 17 Q. Have you heard that term used in 18 the past? 19 A. Yes. 20 Q. What is your understanding of what 21 that term refers to? 22 A. My understanding is that if police 23 officers see wrongdoing by other police 24 officers, that they could potentially remain</p>	<p>1 you were referring to earlier that you could 2 still talk to, who is that? 3 A. Sergeant Mike Barz. 4 Q. Did you ever speak with Sergeant 5 Barz about anything to do with Danny and 6 Shannon? 7 A. Not that I can recall. 8 Q. Let me just check and see if we 9 are done here. 10 Have you been notified how 11 long you may remain in the 311 center? 12 A. No. 13 Q. Have any formal proceedings, 14 disciplinary in nature, been taken against 15 you as a result of the Sperling matter? 16 A. No. 17 Q. What about as a result of the 18 Hernandez matter? 19 A. No. 20 Q. And what about as a result of any 21 of the allegations in the Spalding case? 22 A. No. 23 MR. TAREN: That's all I have. 24 MR. KING: I don't have any</p>

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<p>1 questions. 2 We will reserve. 3 4 (FURTHER DEPONENT SAITH NOT.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p>1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF DU PAGE) 4 5 I, MARIBETH REILLY, a notary public 6 within and for the County of DuPage County 7 and State of Illinois, do hereby certify 8 that heretofore, to-wit, on May 21, 2015, 9 personally appeared before me, at One North 10 LaSalle Street, Chicago, Illinois, JAMES 11 PADAR, in a cause now pending and 12 undetermined in the Northern District of 13 Illinois, wherein Chicago Police Officers 14 SHANNON SPALDING and DANIEL ECHEVERRIA are 15 the Plaintiffs, and CITY OF CHICAGO, et al., 16 are the Defendants. 17 I further certify that the said JAMES 18 PADAR was first duly sworn to testify the 19 truth, the whole truth and nothing but the 20 truth in the cause aforesaid; that the 21 testimony then given by said witness was 22 reported stenographically by me in the 23 presence of the said witness, and afterwards 24 reduced to typewriting by Computer-Aided</p>
<p>1 IN THE UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF ILLINOIS 3 EASTERN DIVISION 4 5 CHICAGO POLICE 6 OFFICERS SHANNON 7 SPALDING and 8 DANIEL ECHEVERRIA, 9 Plaintiffs, 10 vs. 11 CITY OF CHICAGO, 12 CHICAGO POLICE 13 CHIEF JUAN RIVERA, 14 et al., 15 Defendants. 16 I, JAMES PADAR, being first duly 17 sworn, on oath say that I am the deponent in 18 the aforesaid deposition taken on May 19 21, 2015; that I have read the foregoing 20 transcript of my deposition, consisting of 21 pages 1 - 121, and affix my signature to 22 same. 23 JAMES PADAR 24 Number of errata sheets 25 attached_____</p> <p>1 Subscribed and sworn to 2 before me this day 3 of , 2016. 4 5 Notary Public</p>	<p>1 Transcription, and the foregoing is a true 2 and correct transcript of the testimony so 3 given by said witness as aforesaid. 4 I further certify that the signature 5 to the foregoing deposition was reserved by 6 counsel for the respective parties and that 7 there were present at the deposition the 8 attorneys hereinbefore mentioned. 9 I further certify that I am not 10 counsel for nor in any way related to the 11 parties to this suit, nor am I in any way 12 interested in the outcome thereof. 13 IN TESTIMONY WHEREOF: I have hereunto 14 set my hand and affixed my notarial seal 15 this 17th day of January, 2016. 16 17 18 19 NOTARY PUBLIC, DU PAGE COUNTY, ILLINOIS 20 C.S.R. No. 084-002306 21 22 23 24</p>

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2 ERRATA SHEET

3 PG/LN CORRECTION

4 ____/____ Change from: _____

5 Change to: _____

6 ____/____ Change from: _____

7 Change to: _____

8 ____/____ Change from: _____

9 Change to: _____

10 ____/____ Change from: _____

11 Change to: _____

12 ____/____ Change from: _____

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17 Change to: _____

18 ____/____ Change from: _____

19 Change to: _____

20 ____/____ Change from: _____

21 Change to: _____

22 ____/____ Change from: _____

23 Change to: _____

24 WITNESS SIGNATURE: _____

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2 ERRATA SHEET

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4 ____/____ Change from: _____

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18 ____/____ Change from: _____

19 Change to: _____

20 ____/____ Change from: _____

21 Change to: _____

22 ____/____ Change from: _____

23 Change to: _____

24 WITNESS SIGNATURE: _____

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